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THE SOUTHERN CALIFORNIA DISTRICT OF THE COMMUNIST PARTY

Structure—Objectives—Leadership

HEARINGS

BEFORE THE

COMMITTEE ON UN-AMERICAN ACTIVITIES HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH CONGRESS

FIRST SESSION

PART 3

FEBRUARY 24 AND 25, 1959

Printed for the use of the Committee on Un-American Activities

INCLUDING INDEX

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COMMITTEE ON UN-AMERICAN ACTIVITIES

U.S. House of Representatives

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Public Law 601, 79th Congress

The legislation under which the House Committee on Un-American Activities operates is Public Law 601, 79th Congress [1946], chapter 753, 2d session, which provides:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

Rule X

SEC. 121. STANDING COMMITTEES

* * * * * * *

18. Committee on Un-American Activities, to consist of nine Members.

Rule XI

POWERS AND DUTIES OF COMMITTEES

* * * * * * *

(q) (1) Committee on Un-American Activities.

(A) Un-American activities.

(2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

* * * * * * *

Rule XII

LEGISLATIVE OVERSIGHT BY STANDING COMMITTEES

Sec. 136. To assist the Congress in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the Senate and the House of Representatives shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent report and data submitted to the Congress by the agencies in the executive branch of the Government.

RULES ADOPTED BY THE 86TH CONGRESS

House Resolution 7, January 7, 1959

* * * * * * *

Rule X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress,

* * * * * * *

(q) Committee on Un-American Activities, to consist of nine Members.

* * * * * * *

Rule XI

POWERS AND DUTIES OF COMMITTEES

* * * * * * *

18. Committee on Un-American Activities.

(a) Un-American activities.

(b) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (1) the extent, character, and objects of un-American propaganda activities in the United States, (2) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (3) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

* * * * * * *

26. To assist the House in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the House shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the House by the agencies in the executive branch of the Government.

THE SOUTHERN CALIFORNIA DISTRICT OF THE COMMUNIST PARTY

Structure—Objectives—Leadership

(Part 3)

TUESDAY, FEBRUARY 24, 1959

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Los Angeles, Calif.

EXECUTIVE SESSION [1]

The subcommittee of the Committee on Un-American Activities met, pursuant to call, at 9:30 a.m., in room 229, Federal Building, Los Angeles, Calif., Hon. Francis E. Walter (chairman) presiding.

Committee members present: Representatives Francis E. Walter, of Pennsylvania; Morgan M. Moulder, of Missouri; and August E. Johansen, of Michigan.

Staff members present: Frank S. Tavenner, Jr., counsel; William A. Wheeler, investigator; and Mrs. William A. Wheeler, acting clerk.

Chairman WALTER. The committee will come to order.

Will you raise your right hand, please? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. MITCHELL. I do.

TESTIMONY OF CHARLENE MITCHELL, ACCOMPANIED BY COUNSEL, JEAN KIDWELL

Mr. TAVENNER. State your name, please.

Mrs. MITCHELL. Charlene Mitchell.

Mr. TAVENNER. Miss or Mrs.?

Mrs. MITCHELL. Mrs.

Mr. TAVENNER. It is noted that you are accompanied by counsel.

Mrs. MITCHELL. I am.

Mr. TAVENNER. Counsel, will you please identify yourself?

Miss KIDWELL. Miss Jean Kidwell, Pestana & Kidwell.

Mr. TAVENNER. Of the Los Angeles Bar?

Miss KIDWELL. Yes.

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[1] Released by the committee and ordered to be printed.
The executive testimony herewith released formed part of the background information on which is based the "Report on the Southern California District of the Communist Party: Structure—Objectives—Letadership," H. Rept. No. 259, released by the Committee on Un-American Activities on Apr. 3, 1959.

Chairman WALTER. This is a continuation of the hearing begun by the Committee on Un-American Activities in Los Angeles, September 2, 1958. It is authorized by a resolution adopted by the committee on the 23d day of January 1959, which reads as follows:

Be it resolved, That a hearing by the Committee on Un-American Activities, or a subcommittee thereof, to be held in Los Angeles, Calif., or at such other place or places as the chairman may designate, on such date or dates as the chairman may determine, be authorized and approved, including the conduct of investigations deemed reasonably necessary by the staff in preparation therefor, relating to the extent, character, and objects of Communist Party activities in California, with special reference to such activities in southern California, the legislative purpose being:

1. (a) To obtain additional information for use by the committee in its consideration of section 16 of H.R. 9352 relating to the proposed amendment of section 4 of the Communist Control Act of 1954 referred to the Committee on Un-American Activities on August 19, 1957, prescribing a penalty for knowingly and willfully becoming or remaining a member of the Communist Party with knowledge of the purpose or objectives thereof; and

(b) To obtain additional information, adding to the committee's overall knowledge on the subject so that Congress may be kept informed and thus prepared to enact remedial legislation in the national defense and for internal security, when and if the exigencies of the situation require it.

2. In the exercise of continuous watchfulness of the execution by the administrative agency concerned of laws, the subject matter of which is within the jurisdiction of this committee, to obtain information to assist the House in appraising the administration of such laws and in developing such amendments or related legislation as the committee may deem necessary.

Be it further resolved, That the hearings may include any other matter within the jurisdiction of the committee, which it, or any subcommittee thereof appointed to conduct this hearing, may designate.

Let the record show that pursuant to law and the rules of this committee, I, as chairman, appointed a subcommittee for the purpose of conducting these hearings composed of Representatives Morgan M. Moulder and August E. Johansen, as associate members, and myself, Francis E. Walter, as chairman.

The order of appointment of the subcommittee will be set forth in the record at this point.

(The order of appointment is as follows:)

FEBRUARY 5, 1959.

To: Mr. Richard Arens, Staff Director, House Committee on Un-American Activities.

Pursuant to the provisions of the law and the rules of this committee, I hereby appoint a subcommittee of the Committee on Un-American Activities, consisting of Representatives Morgan M. Moulder and August E. Johansen as associate members, and myself, Francis E. Walter, as chairman, to conduct hearings in executive session in Los Angeles, Calif., Tuesday, February 24, 1959, at 10 a.m., on subjects under investigation by the committee and take such testimony on said day or succeeding days, as it may deem necessary. Please make this action a matter of committee record.

If any member indicates his inability to serve, please notify me.

Given under my hand this fifth day of February, 1959.

/s/ FRANCIS E. WALTER,
Chairman, The Committee on Un-American Activities.

Mr. WALTER. The committee resolution adequately sets forth the subject and purposes of this hearing. As stated at the inception of the hearing in September, information has come to the committee of renewed Communist Party activities in this area. The direction and extent of this renewed activity and its purposes are deemed by the committee to be of such importance to the welfare and defense of

the country as to justify this investigation in order that remedial legislation may be recommended designed to meet new threats of subversion.

You may proceed, Mr. Tavenner.

Mrs. MITCHELL. I have a statement that I would like to submit before the committee if this is possible.

Mr. WALTER. You may submit the statement and it will be made a part of our records.

Mr. TAVENNER. State your address, please.

Mrs. MITCHELL. 2411 West 23d Street.

Mr. TAVENNER. Los Angeles?

Mrs. MITCHELL. That is right.

Mr. TAVENNER. When and where were you born?

Mrs. MITCHELL. 1930, in Cincinnati, Ohio.

Mr. TAVENNER. What was your maiden name?

Mrs. MITCHELL. Alexander.

Mr. TAVENNER. Will you tell the committee, please, briefly, what your formal educational training has been?

Mrs. MITCHELL. The usual grammar school, high school, and completed 2 years of college.

Mr. TAVENNER. Where did you attend college?

Mrs. MITCHELL. Herzl Junior College in Chicago, Ill.

Mr. TAVENNER. What was the date of the completion of your work?

Mrs. MITCHELL. I think June of 1950.

Mr. TAVENNER. When did you first come to California to make it your place of residence?

Mrs. MITCHELL. About 4 years ago.

Mr. TAVENNER. Where did you live prior to that?

Mrs. MITCHELL. Chicago, Ill.

Mr. TAVENNER. What is your occupation?

Mrs. MITCHELL. I refuse to answer that question on all the grounds afforded me by the United States Constitution.

Mr. TAVENNER. Are you at this time a salaried employee of the Communist Party in the Southern District of California?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. What was your first employment after coming to California 4 years ago?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. What was your occupation in Chicago before coming to California?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Will you be a little more definite as to the time that you came here?

Mrs. MITCHELL. It is roughly 4 years ago. I can't remember the exact date.

Mr. TAVENNER. Were you sent here by the Communist Party from Chicago?

Mrs. MITCHELL. I stand on the previous grounds.

Mr. TAVENNER. When you first came from Chicago to California did you engage in youth work in this area?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. By youth work, I mean youth work within the Communist Party.

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Were you associated from the time of your arrival in Los Angeles to a comparatively recent date with the Labor Youth League?

Mrs. MITCHELL. You are going into the field of my affiliations and associations, and I must refuse to answer on the grounds afforded me by the United States Constitution.

Mr. TAVENNER. What grounds are those?

Mrs. MITCHELL. All of the grounds of the Constitution.

Mr. TAVENNER. Are you relying upon that part of the fifth amendment relating to self-incrimination?

Mrs. MITCHELL. The Constitution and all its amendments.

Mr. MOULDER. Mr. Chairman, may I interrupt? May I ask that the witness be directed to answer the question for the reason that there should be some showing of whether or not she is acting in good faith in claiming the protection of the Constitution.

Mr. WALTER. Yes; I direct you to answer that question.

Mrs. MITCHELL. I refuse on the grounds of the first, the fifth, and all those amendments that protect my rights.

Mr. TAVENNER. Mr. Chairman, I think I should read into the record that the Labor Youth League was cited by Attorney General J. Howard McGrath in his letter released August 30, 1950, as a "Communist organization" which "has taken the place of the two prior organizations as the organization for young Communists,"—that is, the Young Communist League and American Youth for Democracy.

Did you attend the Labor Youth League convention held in Los Angeles in July of 1956?

Mrs. MITCHELL. I refuse to answer on the grounds previously mentioned.

Mr. TAVENNER. Were you not one of the seven members of the presiding committee of that convention?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. The Labor Youth League is not now in existence, is it?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Do you know why it went out of existence?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Is it not a fact that it went out of existence because its activity had become publicly known and, therefore, it could not be supported? Is that not true?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Are you at this time a member at large of the Communist Party of the United States?

Mrs. MITCHELL. You are again going into the field of associations, affiliations, and I must refuse to answer you on the previous grounds that I mentioned.

Mr. TAVENNER. Are you a member at large of the National Committee of the Communist Party of the United States?

Mrs. MITCHELL. That is the same question, and the same answer.

Mr. TAVENNER. Were you in attendance at a meeting of the District Council of the Communist Party for Southern California held on July 27, 1958, at which time a report was made by delegates who

attended a meeting of the National Committee of the Communist Party held in New York City June 28, 1958?

Mrs. MITCHELL. I stand on all previous grounds mentioned.

Mr. WALTER. May I interrupt at that point, Mr. Tavenner. I think it is very important if we could possibly induce this witness to tell us what happened at that meeting.

Mr. TAVENNER. I am asking her about a meeting which she attended in Los Angeles, the purpose of which was to receive reports from the delegates who attended the national committee meeting.

Dorothy Healey, who, according to the committee's information, is the head of the Communist Party in the Southern District of California, and is also a member of the National Committee of the Communist Party, made an extensive report to the Southern California District convention in April 1957. That report has been introduced in evidence as exhibit 7 in her testimony. I want to read to you from a page of that report:

> Youth. We are not in a position to project a definitive program of work among youth. We know that the future of our party lies in our ability to win youth to the cause of socialism. But while we cannot yet answer the question of what type of Marxist youth organization should emerge ,we can state that high on the priority list on our party's program should be the planned and conscious approach toward the young people in the mass organizations and unions in which we participate. This means developing teen-age programs in those organizations, designed to answer the needs and interests of young people.

Were you present when that report was made?

Mrs. MITCHELL. All of these things, it seems to me, that you are reading, are matters of public record. I just don't think the committee is really interested in these things. I think it is more interested in harassing people.

Mr. TAVENNER. We are more interested in whether you knew about it.

Mrs. MITCHELL. I just refuse to answer on the grounds I have already given you.

Mr. TAVENNER. Were you not made cochairman of the Youth Commission of the Communist Party in Southern California for the purpose of carrying out the directives that came down from the national committee and as reported by Dorothy Healey?

Mrs. MITCHELL. I must refuse to answer these questions on the grounds that I have already given you.

Mr. TAVENNER. Will you tell the committee how many persons compose the Youth Commission of the Communist Party in this area?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Was Ethel Biskar made your cochairman?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Is Shifra Goldman a member of your Youth Commission?

Mrs. MITCHELL. It seems to me that you have subpenaed me here. Why should I have to testify about other people? I am not going to give to this committee any kind of names or anything else that may help this committee. I refuse to answer that question on the previous grounds mentioned.

Mr. TAVENNER. May I have a direction that the witness answer the question?

Mr. WALTER. You are so directed.

Mrs. MITCHELL. I refuse to answer the question on the grounds previously stated.

Mr. TAVENNER. Is Eleanor Smith a member of this commission?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Was a person by the name of Edward Enfiajian a member of this Youth Commission at one time?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Was he not dropped from this commission and relieved of responsibility on it because his activities on this commission might publicly identify him as a member of the Communist Party?

Mrs. MITCHELL. I must refuse to answer on the previous grounds mentioned.

Mr. TAVENNER. How many youth organizations of the Communist Party are there in the Southern District of California?

Mrs. MITCHELL. You are changing these questions around just like that, but the same answer.

Mr. TAVENNER. At the begining of 1959, were there not three youth clubs in operation in this area?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Were not one or two adult members of the Communist Party assigned to each club?

Mrs. MITCHELL. Same answer.

Mr. WALTER. What were the names of the clubs, Mr. Tavenner?

Mr. TAVENNER. One was a study group, according to the committee's information, known as Shifra Goldman Group. Is that correct?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. You and August Maymudes were assigned to a more advanced group of the young Communist group, were you not?

Mrs. MITCHELL. I stand on the previous grounds mentioned.

Mr. TAVENNER. The third group that I mentioned was made up of ex-members of the Labor Youth League, is that not true?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Is it not a fact that Admiral Dawson was the adult member who was assigned to this last mentioned group?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. In other words, if our information is correct that you are cochairman of the youth movement in this area, you refuse to give this committee any information about the advancement of its work?

Mrs. MITCHELL. It seems to me if this committee is at all interested in subversives then they should really go where the subversives are. I know nothing of why this committee has to come to Los Angeles when time after time incidents of terrors and bombings take place against my people, the Negro people in the South, even here, as a matter of fact, and this committee does nothing about that but here it comes into Los Angeles to investigate, as it calls it, so-called subversives. This I can't understand. It seems to me if this committee is really interested then they can investigate the KKK, the White Citizens Council, any number of organizations that are really subverting this organization.

Mr. WALTER. You know the difference between those activities and the activities we are investigating. I am not going to waste my breath reminding you of what they are.

Mr. MOULDER. Do you consider the Communist Party as being a political party, or would you consider it to be a subversive activity?

Mrs. MITCHELL. You are again asking me as to opinions and ideas. I will discuss these things with you in an open forum but I am not going to answer you that in this type of committee hearing.

Mr. MOULDER. My conclusion is that you consider the Communist Party or the Communist Party activities as not being subversive.

Mrs. MITCHELL. When and if we want to discuss the ideas and opinions of any organization, then maybe we could go and discuss them in an open forum but I will not sit here in this room and discuss these opinions with you.

Mr. TAVENNER. Why?

Mrs. MITCHELL. Because I feel I would be giving up my constitutional liberties and I would not be acting as a decent American citizen.

Mr. TAVENNER. Is not the actual reason that you do not want to give information regarding the activities of the Communist Party because then Congress will have the full facts?

Mrs. MITCHELL. It seems to me that Congress has an awful lot of facts on an awful lot of things and they have not done much about it, especially this committee.

Mr. TAVENNER. We are gathering more facts all the time and we hope to get some from you. We certainly have obtained complete information about this community.

Mrs. MITCHELL. Did you get facts about Little Rock?

Mr. TAVENNER. Yes, we have.

Mrs. MITCHELL. You have not moved on Little Rock and you have been here twice.

Mr. TAVENNER. We have obtained facts about what the Communist Party wants to do about infiltration and that you are a member of the national committee. What do you know about that?

Mr. WALTER. About what?

Mr. TAVENNER. About the decision of the Communist Party to infiltrate into the NAACP.

Mrs. MITCHELL. I have not violated any laws.

Mr. TAVENNER. That is not my question. You brought up the question, now let us follow it.

Mrs. MITCHELL. Then I refuse to answer the question on the grounds previously mentioned.

Mr. MOULDER. May I ask what knowledge of subversive activities you have at Little Rock?

Mrs. MITCHELL. It seems to me that this whole committee should, if it does not know, know about the question of Governor Faubus who has refused over and over again to follow the Supreme Court's mandate of 1954 outlawing segregated schools, when children are having to go to schools with bayonets at them and then all of a sudden they can't go that way because the Congress has not yet seen fit to pass a bill that will protect those children.

Mr. MOULDER. Do you have such a personal knowledge?

Mrs. MITCHELL. There is a child who goes to Los Angeles High School because he could not go to a decent school in Little Rock. My

father comes from Georgia, where, when he went to Georgia, they strung him up on a pole outside of a high school. I know about these things and I know the sheriff knew and I know there are Congressmen who sit in Congress who sit there in defiance of the 14th amendment. Because they are supposed to be elected by the people who vote. Here are people in Mississippi—only three-tenths of 1 percent of Negroes in Mississippi can vote. If this is not subverting the Government, then I don't know what is. It seems to me this committee should be perfectly willing to investigate such activity.

Mr. WALTER. That is not within our jurisdiction, but since you have been so willing to talk why do you not talk about the things pertinent to this hearing?

Mr. TAVENNER. In the February 25, 1957, issue of The New Leader there is an article entitled "U.S. Communists Convene," by Walter K. Lewis. I read this paragraph:

> * * * The Communists directed special emphasis to the Negro question in their declaration of principles, and Carl Rachlin reported that a major effort to infiltrate the National Association for the Advancement of Colored People and the National Urban League should be anticipated.

What has been done in this area to carry out what was indicated should be anticipated in this field?

Mrs. MITCHELL. I must stand on my constitutional rights and refuse to answer the question.

Mr. TAVENNER. As a matter of fact, have you not advanced $45 of Communist Party money to a member of the NAACP at UCLA and you did it in the name of the Youth Commission of the Communist Party?

Mrs. MITCHELL. Same answer.

Mr. MOULDER. That is a very interesting point. Do you mean by the same answer that you are claiming protection of the fifth amendment of the Constitution?

Mrs. MITCHELL. All the grounds that I previously stated.

Mr. TAVENNER. On September 21, 1958, there was a District Council meeting of the Southern California Communist Party, and according to the committee's information, you were present. Before I ask you any questions about that, I want to ask you whether or not it is true that you are one of the 62 members of the District Council of the Communist Party for the Southern District of California?

Mrs. MITCHELL. You are questioning again in the same way and I give the same answer.

Mr. TAVENNER. Are you not one of the 10 executive board members of the district council?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Is it not true that Don Wheeldin, before he resigned on March 26, 1958, was also a member of this same executive board with you?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Is it not true that Horace V. Alexander was 1 of the 10 members?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Thomas Creed?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Cornelius Crowe?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Is it not a fact that Ben Dobbs is also a member with you?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Is it not also a fact that Bernard Lusher, who is prominent in the field of labor, is also a member of this executive board with you?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. And Nemmy Sparks?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. When Don Wheeldin resigned, according to the committee's information, it was planned that William Taylor, formerly of Washington, D.C., was slated to become a member of the board. Has he yet become a member?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. I referred you to the fact, according to the committee's information, that there was a meeting on September 21, 1958—that was after the committee's hearing here in Los Angeles last September—of the District Council of the Communist Party for the Southern District of California, and that you were present. I want to ask you some questions about that meeting.

In fact, I have what purports to be a copy of the minutes of that meeting. Will you examine it, please, and state whether or not the action reported there was the action at that meeting.

(Papers handed to the witness.)

Mr. TAVENNER. Can you identify that document as a copy of the minutes?

Mrs. MITCHELL Same answer.

Mr. TAVENNER. I desire to offer the document in evidence and ask that it be marked "Mitchell Exhibit No. 1."

Mr. WALTER. It may be marked and made a part of the record.

(Document marked "Mitchell Exhibit No. 1" and retained in committee files.)

Mr. TAVENNER. According to the committee's information and as stated on those minutes, the meeting was held at Park Manor, 607 South Western Avenue in Los Angeles. Is that not correct?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Exhibit 1, which I showed you, has a statement that there were in attendance 42 delegates and one visitor.

Mrs. MITCHELL. Who was the visitor?

Mr. TAVENNER. Paragraph C, at the bottom of the first page, is as follows:

> Dorothy reported for the district board on the experiences, lessons, and of the recently concluded hearings of the House Un-American Activities Committee. Twelve delegates spoke in the discussion.

What did Dorothy Healey have to say about the hearings of the Committee on Un-American Activities?

Mrs. MITCHELL. Same question and same answer.

Mr. TAVENNER. You seem to be smiling. Something of an unusual character must have occurred.

Mrs. MITCHELL. No; I am laughing because you are asking me the same questions in a different manner.

Mr. TAVENNER. Did Dorothy Healey at this meeting explain why the Communist Party did not call a meeting of the subpenaed witnesses?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Did she not explain before that meeting that it was much better that a districtwide meeting of all the subpenaed people be held under the auspices of the Citizens Committee To Preserve American Freedoms?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. The Citizens Committee To Preserve American Freedoms did hold such a meeting in August of 1958, did it not?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. I ask the witness be directed to answer the question.

Mr. WALTER. You are so directed.

Mrs. MITCHELL. I refuse to answer the question on the grounds afforded me by the Constitution and all its amendments.

Mr. TAVENNER. Frank Wilkinson was one of the speakers, was he not?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Various subpenaed witnesses, including Don Wheeldin, were called upon to stand up at the meeting, and some of them spoke, did they not?

Mrs. MITCHELL. I stand on the previous grounds mentioned.

Mr. TAVENNER. What functionary of the Communist Party made the arrangements for, or negotiated with, the Citizens Committee to Preserve American Freedoms for the sponsoring of that meeting?

Mrs. MITCHELL. I stand on the previous grounds mentioned.

Mr. TAVENNER. Was it the purpose of this meeting to encourage or induce the subpenaed witnesses to stand together in defying this committee?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Were you a member of the Citizens Committee to Preserve American Freedoms in August of 1958?

Mrs. MITCHELL. I will not discuss my affiliations with any organization before this committee. I refuse to answer on the previous grounds mentioned.

Mr. TAVENNER. Were you present at the meeting of the Citizens Committee to Preserve American Freedoms?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. I now want to go back to this meeting of the District Council of the Southern District of California, Communist Party, at which Dorothy Healey, according to the minutes, spoke of the experiences and lessons of the hearing before this committee, and I ask you whether or not she did not admit to the group to which she was speaking that the committee in questioning her had correct information of what had transpired at a former meeting of the District Council.

Mrs. MITCHELL. I must refuse to answer on the grounds previously mentioned.

Mr. TAVENNER. Did she not tell you that the information was so accurate that the committee must have had the meeting room bugged or had an informer present?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Referring again to exhibit 1, the minutes, I made reference to the statement in the minutes that 12 delegates spoke in the discussion relating to the committee.

Who were some of them?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Did Sophie Silver, as one of them, discuss the lack of security which exists in the Communist Party of the Southern District of California?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Incidentally, was not a security provision taken at the holding of this very meeting designed to deceive the public as to the nature of the meeting that was being held?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Was there not placed on the announcement board at the Park Manor a sign that your meeting was the "Midtown Forum"?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Was not Harry Hunt also a speaker on the subject of the committee?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Did not Wally Talbot also participate in the debate?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. You were cotreasurer with a white person for the subpenaed witnesses' fund, were you not?

Mrs. MITCHELL. Do you always make this big difference?

Mr. TAVENNER. What big difference?

Mrs. MITCHELL. Is it something that is a white person? Do you always make such a difference?

Mr. TAVENNER. I am in this case.

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. I will state why. As 1 of the 12 persons who discussed the hearing of the committee, did you not charge that the white Communist Party members were discriminating against you by turning over their money to the white cotreasurer instead of paying you?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. You specifically charged, did you not, that Henry Sazer was guilty of this type of conduct in connection with a $40 contribution made by him?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Exhibit 1, constituting the minutes of the meeting, shows that a motion was made, seconded, and carried, that the party be mobilized to participate in the campaign to abolish the House Un-American Activities Committee. You recall that, do you not?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Was any action taken on your complaint with regard to discrimination against a Negro member by the white members of the Communist Party with regard to payment of contributions?

Mrs. MITCHELL. I don't understand the question.

Mr. TAVENNER. Was any action taken at the meeting with regard to the complaint made by you that you were being discriminated against?

Mrs. MITCHELL. Same answer.

Mr. MOULDER. You were referring to discrimination a little while ago in Little Rock and elsewhere. Don't you wish to give us information about any discrimination which might be going on within the Communist Party?

Mrs. MITCHELL. The outward terror, the harassment, the murder of Negroes that has taken place in the South, in my opinion, is comparable—there is nothing comparable to it.

Mr. MOULDER. I mean the principle of it, maybe not to the same degree, but the principle.

Mrs. MITCHELL. I don't think the principle anywhere else is the same.

Mr. MOULDER. You were complaining about discrimination. If it is false, would you not want to deny it?

Mrs. MITCHELL. I will neither deny nor affirm anything this committee wants to know regarding my affiliations or ideas.

Mr. TAVENNER. The committee has information that the last meeting of the District Council of the Southern California Communist Party was held at the same place on October 24, 1958, and that the attendance at this meeting had fallen off to about 30 members. Can you account for this percentage of decrease in attendance?

Mrs. MITCHELL. I stand on the previous grounds mentioned.

Mr. TAVENNER. Is Bernard Lusher chairman of the Labor Commission of the Communist Party for the Southern California District of the Communist Party?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Did he report at this meeting held on October 24 of the advantages of uniting in one group all the labor members from the different sections and clubs of the Communist Party?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Did he not publicly state in that meeting that the main purpose of this type of organization was to influence the political thinking of the people in the unions?

Mrs. MITCHELL. I stand on the grounds previously mentioned.

Mr. WALTER. Did he say what he meant by political thinking?

Mr. TAVENNER. No, sir.

You were present at that meeting; were you not?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. According to the committee's information, you were.

The committee's information is that the next meeting following that one was held in November of 1958 but you were not present. Why were you not present?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Were you in New York at the time that meeting was held?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Were you not in attendance in November of 1958 at the National Committee meeting of the Communist Party in New York City?

Mrs. MITCHELL. I stand on the previous grounds.

Mr. TAVENNER. Our information is that you were present at a District Council meeting held not long thereafter in Los Angeles on December 21, 1958. Am I correct that you were present?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Did Dorothy Healey at this meeting announce that you were not in agreement with a resolution passed at the national committee meeting on "Theoretical Aspects of the Negro Question in the United States"?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. In other words, did she not announce that you were opposed to the action that had been taken?

Mrs. MITCHELL. I stand on the previous grounds mentioned.

Mr. TAVENNER. What was the resolution to which Dorothy Healey referred and with what did it deal?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Did not the resolution to which she referred relate to a change in the party position that had been taken as long ago as 1928 with regard to the Negro people in the United States constituting a nation within a nation?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. This has been the subject of considerable testimony before the committee in the past where the committee was rather ridiculed by the Communist Party for contending that the Communist Party had adopted a program, or a line, taking the position that the Negro people constituted under Stalin's definition a nation within the United States. But when this was attempted to be changed, you opposed the change, did you not?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Do you admit that the Communist Party had been wrong for 30 years, from 1928 until 1958, in its position that the Negroes constituted a separate nation within the United States?

Mrs. MITCHELL. We are discussing now opinions?

Mr. TAVENNER. No.

Mrs. MITCHELL. I don't understand the question.

Mr. TAVENNER. Let me restate it, then. Did you not state at this meeting on December 21 that you were opposed to any change in the position taken by the Commmunist Party as long ago as 1928——

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Just a minute.

——which position was and continued to be up until 1958 that the Negro people were a separate nation within the United States?

Mrs. MITCHELL. I stand on the previous grounds mentioned.

Mr. TAVENNER. Did not Dorothy Healey continue to point out that she was in favor of the change and against the view taken by you?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Did not Dorothy Healey take a very strong position against you in this matter?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. In fact, you and Dorothy Healey have not gotten along very well together. You look surprised.

Mrs. MITCHELL. Is the committee interested in how I get along with people?

Mr. TAVENNER. Yes, when an issue is involved.

Mrs. MITCHELL. I must refuse to answer on the ground previously stated.

Mr. TAVENNER. Did not Dorothy Healey run into a great deal of difficulty in the meeting of the District Council of July 27, 1958, re-

garding the Thompson report from the national committee and the Dennis report in the matter of the discussion of Nagy in Hungary?

Mrs. MITCHELL. I will not discuss with you my opinions or anybody's opinions before this committee. I must refuse to answer on the grounds previously stated.

Mr. TAVENNER. Dorothy Healey made a minority report about which she was very severely taken to task by members of the Communist Party. Is that not true?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Max Steinberg introduced a resolution to remove her as chairman of the party and possibly the only thing that saved her was that Pettis Perry moved that the motion be tabled. Is that not correct?

Mrs. MITCHELL. Same answer.

Mr. JOHANSEN. I wonder if the stenotypist could reread the statement the witness made a few moments ago to the effect that she would not discuss any opinions before this committee; hers or anyone else's.

Mrs. Mitchell, is it not true you did discuss before this committee your opinions about Little Rock and alleged wrongs in the South?

Mrs. MITCHELL. That is true.

Mr. JOHANSEN. Do you have a double standard? There are some opinions you will discuss before this committee but not others; is that right?

Mrs. MITCHELL. I don't get the question.

Mr. JOHANSEN. You have just said you would not discuss your opinions or anyone's before this committee; yet you acknowledge that you did discuss your opinions regarding Little Rock, so you have a double standard. Some opinions you will discuss before the committee.

Mrs. MITCHELL. It seems to me that I am not required to discuss my opinions before this committee. There are those that I will discuss that I would like this committee to be aware of.

Mr. MOULDER. Do you have any knowledge of any subversive plans or acts of disloyalty to our Government occurring or being planned at any of the meetings mentioned by Mr. Tavenner?

Mrs. MITCHELL. You have placed the same questions maybe in a different way that Mr. Tavenner has and I must give you the same answer.

Mr. MOULDER. If you had such knowledge of subversive or disloyal acts or plans to overthrow our form of government by force and violence or to cooperate with the international scheme of the world Communist Party movement, would you tell us about it?

Mrs. MITCHELL. It is my feeling that this committee does not accomplish whatever it is set out to accomplish.

Mr. MOULDER. That is not responsive to my question.

Mrs. MITCHELL. I am trying to answer your question if you will give me just a moment.

It seems to me if anyone is guilty of any crime or any criminal act that she should be called before a jury, a regular court, and be given his day in court to answer to such charges, but to come before such a hearing as this where, admittedly, the Supreme Court says in the Watkins decision that Congress has no right to investigate——

Mr. MOULDER. That is not responsive. You heard the chairman's statement at the beginning of this hearing that the objective of this

committee is to secure information to enable the Congress to better legislate upon problems facing our country—the threat of the Communist movement, and the efforts on the part of the Soviet Union to dominate the world, including our own country.

If you have any information along that line, would you give it to us to enable us to properly formulate legislation for your protection as well as the rest of the people of this Nation?

Mrs. MITCHELL. There are already such laws to protect this country.

Mr. MOULDER. Do you have any such information or knowledge?

Mrs. MITCHELL. I have to refuse to answer that question.

Mr. MOULDER. That is what I thought.

Mr. TAVENNER. Actually, the Communist Party attacks all laws dealing with security such as the Smith Act, the Walter-McCarran Act, and various acts relating to the employment of subversives. They fight, also, the FBI, which is engaged in fighting espionage and sabotage and other matters affecting the national defense and safety of the country.

These very minutes show that the Communist Party is endeavoring to mobilize forces to abolish this committee. In fact, it is engaged in every type of activity that it can think of against the interests of this country in the field of subversion. Is that not true?

Mrs. MITCHELL. If I am here accused of any criminal acts, then I think that I should be called before a grand jury, but I do not think that——

Mr. TAVENNER. Will you answer my question?

Mrs. MITCHELL. I must refuse to answer your question on the grounds previously stated.

Mr. JOHANSEN. Do you believe in the Constitution of the United States?

Mrs. MITCHELL. I do. I believe in it and I fight for it.

Mr. MOULDER. Does the Communist Party believe in it? Does it support its principles?

Mrs. MITCHELL. You are asking me about organizations and affiliations and I will not answer those questions before this committee. I refuse to answer on the grounds previously mentioned.

Mr. TAVENNER. Has any action been taken on Steinberg's motion?

Mrs. MITCHELL. I stand on the previous grounds mentioned.

Mr. TAVENNER. Did you not oppose Dorothy Healey at the meeting of July 27, 1958, to which I have referred by making a motion that the reports which had been made be adopted—that is, the majority reports, which Dorothy Healey had opposed?

Were you not the one who made the motion that the committee reports be accepted?

Mrs. MITCHELL. What is the pertinency of this kind of question to the legislation that Mr. Walter referred to?

Mr. JOHANSEN. Does the Constitution require the Congress to provide for the general defense of the Nation?

Mrs. MITCHELL. Does Congress provide it?

Mr. JOHANSEN. Does the Constitution require Congress to provide for the general defense?

Mrs. MITCHELL. I think so, but what has this kind of question to do with providing for the national defense of the country?

Mr. WALTER. As a result of hearings of this sort over a period of years, recommendations have been made to the Congress which have resulted in the enactment of close to three dozen different laws, and I do not know how many Executive orders.

You see, the accomplishments have been great—perhaps too great for your purpose.

Mr. JOHANSEN. Those laws were enacted pursuant to the constitutional authority vested in the Congress of the United States.

Mrs. MITCHELL. They are all reprehensive laws and also very antidemocratic.

Mr. TAVENNER. Will you answer the question, please?

Mrs. MITCHELL. Will you repeat the question?

Mr. TAVENNER. The question is whether or not you made the motion to accept the majority report from the national committee.

Mrs. MITCHELL. I must stand on the previous grounds mentioned.

Mr. TAVENNER. In making that motion, in speaking to it, did you not support the position of the Communist Party with regard to the execution of Nagy, that is, were you not in favor of it?

Mrs. MITCHELL. Here again, this is an area of opinion and ideas on a certain subject. What happens in Hungary, happens in Hungary, and I must refuse to answer you on the grounds previously stated.

Mr. TAVENNER. Did you support the sending of Soviet troops into Hungary?

Mrs. MITCHELL. I think the Hungarians will take care of their own problems in their own way. They are a country outside of our own soil. I have nothing to do with Hungary and I feel that my efforts can much better be put to use in our own country, whatever they may be, and I must refuse to answer your question on the previous grounds mentioned.

Mr. TAVENNER. I want to go back for a moment to my questioning of you regarding your work among the young Communist groups.

Referring again to the minutes introduced in evidence as Mitchell Exhibit No. 1, I see that considerable emphasis was placed upon a drive, a Communist Party drive, to support the People's World. Section E of the minutes carries nearly half a page relating to a report made by "Ben." Is that individual Ben Dobbs?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. What was the quota assigned to the various units of the Communist Party in this area for money to be raised for the People's World?

Mrs. MITCHELL. I stand on the previous grounds mentioned.

Mr. TAVENNER. I hand you a photostatic copy of what appears to be, or purports to be, a report of the Southern California District People's World drive standings as of October 24, 1958, showing 28 sections of the Communist Party by name, the quota assigned to each, the amount raised by each after October 9, 1958, and the total raised.

Mr. WALTER. Where were those 28 sections?

Mr. TAVENNER. In the Southern District of California. They are the sections that comprise this new Southern District of California.

Mr. WALTER. What is that new Southern District?

Mr. TAVENNER. That is the name of it.

Mr. WALTER. Of what does it consist?

Mr. TAVENNER. The State was divided into two districts, as we brought out at the September hearings, and the Southern District was described in that testimony as being bounded on the north by Santa Barbara and Kern Counties and everything south of that was in the Southern District.

Mr. WALTER. Does that include San Diego?

Mr. TAVENNER. Yes, sir.

I hand you the report and ask you whether you can identify it as a correct report.

Mrs. MITCHELL. I must stand on the previous grounds.

Mr. TAVENNER. Have you seen the report before?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. Are the 28 sections named there the correct titles for the sections of the Communist Party for this district?

Mrs. MITCHELL. Same answer.

Mr. MOULDER. So you decline to answer for the same reasons previously stated as provided for in the Constitution?

Mrs. MITCHELL. That is correct.

Mr. TAVENNER. This report shows a quota assignment of $43,000 for these 28 sections, does it not?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. It further shows that as of the date of this report $39,468.07 of that quota had been raised. What is the total membership of the 28 sections of the Communist Party in this district?

Mrs. MITCHELL. I must refuse to answer on the grounds previously given.

Mr. TAVENNER. I have no other questions.

Mr. MOULDER. I assume you have heard this many, many times. Are you now a member of the Communist Party?

Mrs. MITCHELL. I must refuse to answer you on the grounds of the U.S. Constitution.

Mr. MOULDER. Have you ever been?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. James E. Jackson of New York was the individual who, as a member of the National Committee of the Communist Party, made the report which caused the change of the position of the Communist Party with regard to the Negro question, was he not?

Mrs. MITCHELL. I must refuse on the same grounds as previously given.

Mr. TAVENNER. James E. Jackson is now in the Soviet Union, is he not, as a representative at the 21st Congress of the Communist Party of the Soviet Union?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. You opposed his report, did you not?

Mrs. MITCHELL. Same answer.

Mr. TAVENNER. You opposed it on the ground that the Negro people still constitute a nation within a nation in the United States?

Mrs. MITCHELL. I stand on the previous grounds mentioned.

Mr. TAVENNER. I have no further questions.

Mr. WALTER. The witness is excused.

Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BRODSKY. I do.

TESTIMONY OF SEYMOUR D. BRODSKY, ACCOMPANIED BY COUNSEL, LEO FENSTER

Mr. TAVENNER. What is your name, please?

Mr. BRODSKY. Seymour Brodsky.

Mr. TAVENNER. It is noted that you are accompanied by counsel. Will counsel please identify himself for the record?

Mr. FENSTER. Leo Fenster, 11363 Santa Monica Boulevard, Los Angeles.

Mr. TAVENNER. When and where were you born, Mr. Brodsky.

Mr. BRODSKY. October 26, 1916, in Johnstown, Pa.

Mr. TAVENNER. Will you tell the committee, please, what your formal educational training has been?

Mr. BRODSKY. I graduated from high school and a couple of years of college.

Mr. TAVENNER. Where did you attend college?

Mr. BRODSKY. Los Angeles Junior College, it was, at that time.

Mr. TAVENNER. Where do you now reside?

Mr. BRODSKY. In Wilmington.

Mr. TAVENNER. In Wilmington, Calif.?

Mr. BRODSKY. Yes, sir.

Mr. TAVENNER. When did you move to California?

Mr. BRODSKY. In 1921.

Mr. TAVENNER. What is your occupation?

Mr. BRODSKY. I work in a drug store.

Mr. TAVENNER. According to the committee's information, you were present as a delegate to the organizational meeting of the Southern California District Council of the Communist Party held at Park Manor, 607 South Western Avenue, Los Angeles, on April 13 and 14, 1957. Is that information correct as to you?

Mr. BRODSKY. I will have to refuse that question on the grounds of self-incrimination.

Mr. TAVENNER. What are the various functionary positions that you have held in the Communist Party?

Mr. BRODSKY. I refuse to answer that question on the same grounds, sir.

Mr. TAVENNER. Were you not, as long ago as 1950, an organizer for the Western Division of the Los Angeles County Communist Party?

Mr. BRODSKY. I refuse that question on the same grounds, sir.

Mr. TAVENNER. Has not your specialty or your field of particular activity in the Communist Party related to organizational work and building up the numerical strength of the Communist Party?

Mr. BRODSKY. I refuse that question on the same grounds.

Mr. TAVENNER. Were you a member of the Communist Party as long ago as 1940?

Mr. BRODSKY. I refuse that question on the same grounds, sir.

Mr. TAVENNER. Were you not a member of the Young Communist League as early as 1935?

Mr. BRODSKY. I would refuse that on the same grounds, sir.

Mr. TAVENNER. Are you aware that upon the reorganization of the Communist Party in California by the establishment of a Northern and Southern District that the plan of the organization for the Southern District included the appointment of 62 District Council members?

Mr. BRODSKY. I would refuse on the grounds of self-incrimination.

Mr. TAVENNER. Who was chairman of the organizational meeting held on April 13 and 14, 1957?

Mr. BRODSKY. I would refuse on the grounds of self-incrimination.

Mr. TAVENNER. Healey Exhibit No. 10 is a document entitled, "The Constitution and Organizational Committee Moves the Following for Action by the Convention." A part of this resolution related to the organizational setup of the Communist Party in southern California. Did you play any part in that organizational effort?

Mr. BRODSKY. I refuse on the same grounds, sir.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. BRODSKY. I refuse on the same grounds.

Mr. WALTER. We have no questions. The witness is excused.

Will you raise your right hand?

Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. DAWSON. I do.

TESTIMONY OF ADMIRAL GEORGE DAWSON, ACCOMPANIED BY COUNSEL, HERBERT W. SIMMONS, JR.

Mr. TAVENNER. Will you state your name, please?

Mr. DAWSON. Admiral George Dawson.

Mr. TAVENNER. It is noted that the witness is accompanied by counsel.

Will counsel please identify himself for the record?

Mr. SIMMONS. Herbert W. Simmons, Jr., California Bar, 343 West Vernon.

Mr. TAVENNER. Los Angeles?

Mr. SIMMONS. That is right.

Mr. TAVENNER. When and where were you born, Mr. Dawson?

(The witness conferred witht his counsel.)

Mr. DAWSON. Summerville, Tex., April 26, 1927.

Mr. TAVENNER. Where do you now reside?

(The witnesses conferred with his counsel.)

Mr. DAWSON. On the advice of my counsel I refuse to answer that question on the grounds of the first and fifth amendment of the Constitution.

Mr. TAVENNER. The marshal's return on the service of the subpena on you shows that you were served at 651½ West 59th Place, Los Angeles. Is that your residential address?

(The witness conferred with his counsel.)

Mr. DAWSON. I think I answered that question previously on the grounds of the first and fifth amendment to the Constitution. I refuse to answer that.

Mr. TAVENNER. May I have a direction?

Mr. WALTER. I direct you to answer the question.

(The witness conferred with his counsel.)

Mr. DAWSON. Under advice of my counsel, I refuse to answer that question on the grounds of the first and fifth amendment to the Constitution.

Mr. WALTER. You have merely been asked where you live. Do you feel if you told this committee where you live you might subject yourself to criminal prosecution?

(The witness conferred with his counsel.)

Mr. DAWSON. I refuse to answer that question on the ground of the first and fifth amendment on advice of my counsel.

Mr. TAVENNER. When did you first come to California?

(The witness conferred with his counsel.)

Mr. DAWSON. I refuse to answer that question on the grounds of the first and fifth amendment upon the advice of my counsel.

Mr. WALTER. You are directed to answer the question.

(The witness conferred with his counsel.)

Mr. DAWSON. I refuse to answer that question on the grounds of the first and fifth amendments of the Constitution upon advice of my counsel.

Mr. TAVENNER. The committee has information that you were a delegate to the California State convention of the Communist Party held on January 19 and 20, 1957. Is that information correct?

(The witness conferred with his counsel.)

Mr. DAWSON. On the advice of my counsel, I refuse to answer that question on the basis of the first and fifth amendments to the Constitution.

Mr. TAVENNER. Were you a delegate to the California State convention at the date indicated?

(The witness conferred with his counsel.)

Mr. DAWSON. On the advice of my counsel, I refuse to answer that question on the basis of the first and fifth amendments to the Constitution of the United States of America.

Mr. TAVENNER. Were you a delegate to the Southern California District convention of the Communist Party on April 13 and 14, 1957?

(The witness conferred with his counsel.)

Mr. DAWSON. On the advice of my counsel, I refuse to answer that question on the grounds of the first and fifth amendment to the Constitution of the United States.

Mr. TAVENNER. The committee's investigation has shown that you were active in the Labor Youth League work in Los Angeles for a period of time. Will you tell the committee, please, whether you have at any time been connected with the Labor Youth League in Los Angeles?

(The witness conferred with his counsel.)

Mr. DAWSON. On the advice of my counsel, I refuse to answer that question on the grounds of the first and fifth amendment to the Constitution.

Mr. MOULDER. Mr. Chairman, I would like to ask the witness this question: Is it because counsel so advises you to answer in that way or do you, yourself, believe in good faith that if you answered that question it would subject you to criminal prosecution?

(The witness conferred with his counsel.)

Mr. DAWSON. I refuse to answer that question on the grounds of the first and fifth amendment to the Constitution of the United States of America.

Mr. TAVENNER. Were you not in 1956 the legislative director of the Los Angeles County Labor Youth League?

(The witness conferred with his counsel.)

Mr. DAWSON. I refuse to answer that question on the grounds of the first and fifth amendment to the Constitution of the United States of America.

Mr. TAVENNER. Did you serve in the Armed Forces of the United States?

(The witness conferred with his counsel.)

Mr. DAWSON. I refuse to answer that question on the grounds of the first and fifth amendment to the Constitution of the United States of America.

Mr. WALTER. You are directed to answer the question. Did you serve in the Armed Forces of the United States?

(The witness conferred with his counsel.)

Mr. DAWSON. I refuse to answer that question on the ground of the first and fifth amendment of the Constitution of the United States.

Mr. WALTER. Do you feel if you admitted that you served in the Armed Forces of the United States that you would be subject to prosecution?

(The witness conferred with his counsel.)

Mr. DAWSON. I refuse to answer that question on the grounds of the first and fifth amendments of the Constitution.

Mr. TAVENNER. Were you not discharged from the United States Army for refusing to sign the required loyalty oath?

(The witness conferred with his counsel.)

Mr. DAWSON. I refuse to answer that question on the grounds of the first and fifth amendments of the Constitution to the United States.

Mr. TAVENNER. The committee is in possession of information indicating that there is a youth organization of the Communist Party in Los Angeles which is generally referred to as the Admiral Dawson Group. Will you state, please, whether or not you have been assigned by the Communist Party to serve as an adult in connection with the work of a group of the young Communist members in this area?

(The witness conferred with his counsel.)

Mr. DAWSON. I refuse to answer that question on the grounds of the first and fifth amendments of the United States.

Mr. TAVENNER. I may have misdescribed the organization I had in mind. The organization, as I understand it, is a group of former members of the Labor Youth League. Have you been assigned by the Communist Party to work with a group of former members of the Labor Youth League?

(The witness conferred with his counsel.)

Mr. DAWSON. I refuse to answer that question on the grounds of the first and fifth amendments to the Constitution of the United States of America.

Mr. TAVENNER. You are a member of the Youth Commission of the Communist Party of the Southern District of California at the present time, are you not?

(The witness conferred with his counsel.)

Mr. DAWSON. I refuse to answer that question on the grounds of the first amendment to the Constitution and the fifth amendment to the Constitution of the United States of America.

Mr. TAVENNER. At the April 1957 meeting of the Communist Party of the Southern District of California, did you hear the report made by Dorothy Healey regarding youth organizational work?

(The witness conferred with his counsel.)

Mr. DAWSON. I refuse to answer that question on the grounds of the first amendment to the Constitution and the fifth amendment to the Constitution of the United States of America.

Mr. TAVENNER. What is being done now in Los Angeles to implement the plans of the Communist Party with regard to youth in this area?

(The witness conferred with his counsel.)

Mr. DAWSON. I refuse to answer that question on the grounds of the first amendment to the Constitution of the United States of America and the fifth amendment to the Constitution of the United States.

Mr. TAVENNER. Are you a member of the Communist Party now?

(The witness conferred with his counsel.)

Mr. DAWSON. I refuse to answer that question on the grounds of the first and fifth amendments of the Constitution of the United States.

Mr. TAVENNER. I have no further questions.

Mr. WALTER. The witness is excused.

Will you raise your right hand, please?

Do you swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. SMITH. I do.

TESTIMONY OF MRS. ELEANOR SMITH, ACCOMPANIED BY COUNSEL, HERBERT W. SIMMONS, JR.

Mr. TAVENNER. What is your name, please?

(The witness conferred with her counsel.)

Mrs. SMITH. Eleanor Smith.

Mr. TAVENNER. Miss or Mrs.?

(The witness conferred with her counsel.)

Mr. TAVENNER. You certainly do not have to consult with counsel to answer that question.

(The witness conferred with her counsel.)

Mrs. SMITH. I refuse to answer that question on the grounds of the first and fifth amendment.

Mr. WALTER. You are directed to answer the question.

Mrs. SMITH. Same answer.

Mr. WALTER. Do you honestly believe that if you told this committee whether you were married you would be confronted with probable criminal prosecution?

(The witness conferred with her counsel.)

Mrs. SMITH. I refuse to answer that question on the grounds of the first and fifth amendment.

Mr. MOULDER. As I understand the question, the question was to determine whether or not she was acting in good faith.

You have not answered in response to the chairman's question.

(The witness conferred with her counsel.)

Mr. TAVENNER. It is noted that the witness is accompanied by the same counsel who accompanied the former witness.

His name is Herbert Simmons.

Mr. SIMMONS. My name is Herbert Simmons, 343 West Vernon, Los Angeles, Calif., of the California Bar.

Mr. TAVENNER. Where do you reside?

(The witness conferred with her counsel.)

Mrs. SMITH. I refuse to answer that question on the grounds of the first and fifth amendment to the Constitution.

Mr. WALTER. You are directed to answer the question as to where you reside.

(The witness conferred with her counsel.)

Mrs. SMITH. The same answer. I refuse to answer on the grounds of the first and fifth amendment to the Constitution.

Mr. TAVENNER. The marshal's return shows that you were served at 651 West 59th Place, Los Angeles. Is that the place of your residence?

(The witness conferred with her counsel.)

Mrs. SMITH. I refuse to answer that question on the grounds of the first and fifth amendment to the Constitution.

Mr. MOULDER. The chairman propounded the question to you a few moments ago testing your good faith in using the Constitution as a protection in your refusal or declination to answer.

The questions that are being submitted to the witness are formal, introductory requests. Do you realize and understand that taking the position you do in refusing to answer any questions, regardless of what they might be, may possibly place you in a position of being subject to prosecution for contempt?

(The witness conferred with her counsel.)

Mrs. SMITH. I refuse to answer that question on the grounds of the first and fifth amendment to the Constitution.

Mr. MOULDER. I wanted the record to be clear that you are being advised by the committee of the position in which you are placing yourself by just taking a belligerent attitude in refusing to answer any question regardless of whom it is submitted by, either counsel or members of this committee.

Mr. TAVENNER. Are you acquainted with Admiral George Dawson?

(The witness conferred with her counsel.)

Mrs. SMITH. I refuse to answer that question on the grounds of the first and fifth amendment.

Mr. TAVENNER. It is noted his address is 651½ West 59th Place, which must be next door to you. Doesn't he live next door to you?

(The witness conferred with her counsel.)

Mrs. SMITH. I refuse to answer that question on the grounds of the first and fifth amendment to the Constitution.

Mr. TAVENNER. At this time you are a member of the Communist Party in this area, are you not?

(The witness conferred with her counsel.)

Mrs. SMITH. I refuse to answer that question on the grounds of the first and fifth amendment to the Constitution.

Mr. TAVENNER. Are you now a member of the Communist Party?

(The witness conferred with her counsel.)

Mrs. SMITH. I refuse to answer that question on the grounds of the first and fifth amendment to the Constitution.

Mr. TAVENNER. How are you employed?

(The witness conferred with her counsel)

Mrs. SMITH. I am unemployed.

Mr. TAVENNER. What was your last employment?

(The witness conferred with her counsel.)

Mrs. SMITH. I refuse to answer that question on the grounds of the first and fifth amendment to the Constitution.

Mr. TAVENNER. Do you appear here pursuant to a subpena served on you?

(The witness conferred with her counsel.)

Mrs. SMITH. I refuse to answer that question on the grounds of the first and fifth amendment to the Constitution.

Mr. MOULDER. Let the record show that the witness has stated her name and that she has been unemployed.

How long have you been unemployed?

(The witness conferred with her counsel.)

Mrs. SMITH. I refuse to answer that question on the grounds of the first and fifth amendment.

Mr. TAVENNER. I have no further questions.

Mr. WALTER. The witness is excused.

Will you raise your right hand?

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. YOUNG. I do.

TESTIMONY OF CLARENCE GEORGE YOUNG, ACCOMPANIED BY COUNSEL, HERBERT W. SIMMONS, JR.

Mr. TAVENNER. State your name, please.

Mr. YOUNG. My name is Clarence George Young.

Mr. TAVENNER. Counsel will please identify himself for the record.

Mr. SIMMONS. Herbert W. Simmons, Jr., California Bar, 343 West Vernon, Los Angeles, Calif.

Mr. TAVENNER. Where do you live, Mr. Young?

Mr. YOUNG. I refuse to answer that question on the fifth amendment.

Mr. WALTER. You are here in response to a subpena, are you not?

(The witness conferred with his counsel.)

Mr. YOUNG. Would you repeat the question, please?

(The pending question was read by the reporter.)

Mr. YOUNG. I refuse to answer that question on the ground of the first and fifth amendment.

Mr. WALTER. What are you doing here then, if you are not appearing in response to a subpena?

(The witness conferred with his counsel.)

Mr. YOUNG. I refuse to answer that question on the grounds of the first and fifth amendment.

Mr. JOHANSEN. Would you not have very seriously incriminated yourself if you had not responded to the subpena?

(The witness conferred with his counsel.)

Mr. YOUNG. I don't understand the question that you just asked.

Mr. MOULDER. The point is to find out whether or not you are the proper person appearing here as a witness as a result of the issuance of a subpena. If you are the wrong man, then most certainly an error has been committed. What is the name on the subpena?

Mr. TAVENNER. Clarence Young.

Mr. MOULDER. Is that your name?

Mr. YOUNG. I stated that when I came in here.

Mr. MOULDER. What is your address?

Mr. YOUNG. I refused to answer that question.

Mr. MOULDER. What does the subpena served show?

Mr. TAVENNER. The subpena shows it was served upon Clarence Young at Consolidated Western Steel at 5700 South Eastern.

Mr. MOULDER. Is this the right man?

Mr. TAVENNER. Was this paper served on you or a copy of it?

(The witness conferred with his counsel.)

Mr. YOUNG. I refuse to answer that question on the ground of the fifth amendment.

Mr. JOHANSEN. Why are you here?

(The witness conferred with his counsel.)

Mr. YOUNG. Repeat the question, please?

Mr. JOHANSEN. Why are you here?

Mr. YOUNG. I refuse to answer that question on the grounds of the first and fifth amendment.

Mr. TAVENNER. Did you employ an attorney before you came into this room?

(The witness conferred with his counsel.)

Mr. YOUNG. Yes; I did acquire an attorney and he is sitting here by my side.

Mr. TAVENNER. Why did you do that if you were not subpenaed here as a witness?

(The witness conferred with his counsel.)

Mr. YOUNG. I don't particularly understand that question as you put it.

Mr. TAVENNER. Why would you go to the trouble of getting a lawyer to come here with you unless you were subpenaed by the marshal to come?

(The witness conferred with his counsel.)

Mr. YOUNG. I refuse to answer that question on the grounds of the first and fifth amendment.

Mr. TAVENNER. Let me see your driver's permit.

(The witness conferred with his counsel.)

Mr. TAVENNER. You have handed me your driver's permit which is in the name of Clarence George Young, address, 651½ West 59th Place, Los Angeles. Did you not live at that address in September of last year, 1958?

(The witness conferred with his counsel.)

Mr. YOUNG. I refuse to answer the question on the grounds of the first and fifth amendment as previously stated.

Mr. TAVENNER. You do not live at the address on your driver's permit now, do you?

(The witness conferred with his counsel.)

Mr. YOUNG. I refuse to answer the question on the grounds of the first and fifth amendment.

Mr. TAVENNER. You have changed your address from that now appearing on your driver's permit to 1503 Broadacres, Compton, have you not?

(The witness conferred with his counsel.)

Mr. YOUNG. I refuse to answer the question on the grounds of the first and fifth amendment.

Mr. TAVENNER. You are employed by Consolidated Western Steel at 5700 South Eastern, Los Angeles, are you not?

(The witness conferred with his counsel.)

Mr. YOUNG. I refuse to answer the question on the grounds previously stated.

Mr. MOULDER. In order to make the record clear, may I interpose this statement: First, to explain to the witness that the normal questions now being submitted to you are, as I would understand it, to ascertain whether or not you are the proper witness named in the subpena. It is a very simple proposition and certainly there is no question about the authority of this committee to issue subpenas.

The witness has refused to give us the information to ascertain whether or not the person intended to be subpenaed is you and you have refused to answer those questions. Now, you understand, do you not, that by so refusing you may be placing yourself in the position of being in contempt of this committee and the Congress of the United States and subject to prosecution for refusing to answer those questions. You do understand that, do you not?

(The witness conferred with his counsel.)

Mr. YOUNG. I still refuse to answer the questions on the grounds previously stated.

Mr. TAVENNER. Mr. Young, in any event, you are the Clarence Young who was on the organizing committee of the Labor Youth League in Los Angeles, are you not?

Mr. YOUNG. I refuse to answer the question on the grounds of the first and fifth amendments.

Mr. TAVENNER. Do you occasionally engage in the work of an artist or cartoonist?

(The witness conferred with his counsel.)

Mr. YOUNG. I refuse to answer the question on the grounds of the first and fifth amendment.

Mr. TAVENNER. Are you the Clarence Young who was active in the Independent Progressive Party in 1947?

(The witnesss conferred with his counsel.)

Mr. YOUNG. I refuse to answer the question on the grounds of the first and fifth amendment.

Mr. TAVENNER. Where were you born?

Mr. YOUNG. I was born in New Orleans, La.

Mr. TAVENNER. You came to Los Angeles from New Orleans in 1947, did you not?

(The witness conferred with his counsel.)

Mr. YOUNG. I refuse to answer the question on the first and fifth amendments.

Mr. TAVENNER. You have done work in drawing cartoons under the alias of "Clay" for the Pacific Coast Youth Recorder, a defunct official organ of the Labor Youth League, have you not?

(The witness conferred with his counsel.)

Mr. YOUNG. I refuse to answer the questions on the grounds of the first and fifth amendments.

Mr. TAVENNER. You are the Clarence Young who has been active in the Young Progressives of America, the Civil Rights Congress, and the American Youth Peace Crusade, are you not?

(The witness conferred with his counsel.)

Mr. YOUNG. I refuse to answer the question on the grounds of the first and fifth amendments.

Mr. TAVENNER. You are the Clarence Young who is a member of the District Council of the Communist Party for the Southern District of California at this time, are you not?

(The witness conferred with his counsel.)

Mr. YOUNG. I refuse to answer the question on the grounds of the first and fifth amendments.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. MOULDER. Do you still refuse to answer the question as to whether or not a subpena was served upon you to appear before this committee?

(The witness conferred with his counsel.)

Mr. SIMMONS. For the purpose of the record, I will stipulate that he is one and the same person.

Mr. MOULDER. I am asking the witness. Were you subpenaed and are you appearing here as the result of a subpena being served upon you?

(The witness conferred with his counsel.)

Mr. YOUNG. Would you repeat the question again, please?

(The pending question was read by the reporter.)

Mr. YOUNG. Yes. I did receive a subpena and I am here because of that reason.

Mr. JOHANSEN. Then, it was not a truthful statement which you made under oath that to answer that question would jeopardize your rights under the first and fifth amendments?

(The witness conferred with his counsel.)

Mr. YOUNG. I refuse to answer the question on the ground of the first and fifth amendment.

(Whereupon, at 12:07 p.m., Tuesday, February 24, 1959, the hearing was recessed, to be reconvened at 2 p.m., the same day.)

AFTERNOON SESSION, TUESDAY, FEBRUARY 24, 1959

Mr. MOULDER (presiding). The committee will be in order.

Do you solemnly swear that the evidence you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Miss BLAIR. I do.

TESTIMONY OF HELEN BLAIR, ACCOMPANIED BY COUNSEL, ROBERT W. KENNY AND J. FRANKEL

Mr. TAVENNER. State your name, please.

Miss BLAIR. Helen Blair.

Mr. TAVENNER. Miss or Mrs.?

Miss BLAIR. I use Miss. I am divorced.

Mr. TAVENNER. It is noted that you are accompanied by two gentlemen. Will they please identify themselves for the record?

Mr. KENNY. Robert W. Kenny.

Mr. FRANKEL. J. Frankel.

Mr. TAVENNER. You are both members of the State Bar of California?

Mr. KENNY. Yes, sir.

Mr. FRANKEL. Yes, sir.

Mr. TAVENNER. Where do you reside, Miss Blair?

Miss BLAIR. 1774 North Orange Grove Avenue, Hollywood.

Mr. TAVENNER. Are you a native of the State of California?

Miss BLAIR. No.

Mr. TAVENNER. Where were you born?

Miss BLAIR. Michigan.

Mr. TAVENNER. How long have you lived in California?

Miss BLAIR. Since 1932.

Mr. TAVENNER. What is your occupation?

Miss BLAIR. I am unemployed at the moment. I was self-employed for a period and then I have done free-lance secretarial work. Part of the time I was married and then I had jobs.

Mr. TAVENNER. What type of employment when you were self-employed?

Miss BLAIR. In the silk screen art business.

Mr. TAVENNER. What has been your formal educational training?

Miss BLAIR. I graduated from the Morenci, Mich., high school and attended the University of Michigan for a year and then, later, went to a business school, both in Boston and in Washington, D.C.

Mr. TAVENNER. The committee's information is that you attended the organizational meeting of the newly formed Southern California District organization of the Communist Party which was held on April 13–14, 1957. I would like to ask you whether you did attend that convention.

Miss BLAIR. I will decline to answer that question on the grounds of the fifth amendment.

Mr. TAVENNER. Did you receive in advance of that convention a report by a Dorothy Healey regarding the National Committee meeting of the Communist Party held in February 1957?

Miss BLAIR. I decline to answer that on the same grounds as previously stated.

Mr. TAVENNER. Dorothy Healey presented at the meeting to which I referred, the one of April 13–14, 1957, a program for the advancement of the Communist Party in this area. Have you participated in any way in the advancement of that program?

Miss BLAIR. This question I also refuse to answer on the same grounds.

Mr. MOULDER. Miss Blair, do you know Dorothy Healey?

Miss BLAIR. This question I refuse to answer on the same grounds.

Mr. TAVENNER. Are you personally acquainted with the program of reorganization of the Communist Party in the Los Angeles area?

Miss BLAIR. I refuse to answer this question on the same grounds as previously stated.

Mr. TAVENNER. Were you a member of the executive board of the Southern California Chapter of the Arts, Sciences, and Professions?

Miss BLAIR. This question I decline to answer on the same grounds.

Mr. TAVENNER. You stated that you are divorced. Was your married name Helen B. Stewart?

(The witness conferred with her counsel.)

Miss BLAIR. I decline to answer that question on the same grounds.

Mr. TAVENNER. The committee from time to time has included in its investigation the activities of the Communist Party in connection with the Rosenberg case. Were you active in the work of the Committee to Secure Justice in the Rosenberg Case back in the year 1953?

Miss BLAIR. I decline to answer that question on the same grounds.

Mr. TAVENNER. I hand you a photostatic copy of a letterhead under the date of July 2, 1953, of the Committee to Secure Justice in the Rosenberg Case, and ask you to examine the seventh name in the list of sponsors and state whether or not you find your name there as one of the sponsors of that organization.

(A document was handed to the witness.)

(The witness conferred with her counsel.)

Miss BLAIR. I refuse to answer this question on the same grounds.

Mr. TAVENNER. I desire to introduce the document and ask that it be marked "Helen Blair Exhibit No. 1."

Mr. MOULDER. It will be so marked and made a part of the record.

(Document marked "Helen Blair Exhibit No. 1," and retained in committee files.)

Mr. TAVENNER. I hand you a thermofax copy of an excerpt from the September 11, 1952, issue of the People's World, and I ask if you see there an item headed, "24 Sponsor Rosenberg LA Meeeting."

(Document handed to witness.)

Miss BLAIR. This I decline to answer also on the same grounds.

Mr. TAVENNER. I desire to introduce this document into evidence and request that it be marked Helen Blair Exhibit No. 2.

Mr. MOULDER. The document will be so marked and made a part of the record.

(Document marked "Helen Blair Exhibit No. 2," and retained in committee files.)

Mr. TAVENNER. I read into the record a part of this document with the chairman's permission:

> Twenty-four prominent Southern Californians were listed today as sponsors for Friday's rally to secure justice for Ethel and Julius Rosenberg, sentenced to die in a frameup "spy" case. Atty. William Esterman, local chairman of the National Lawyers Guild, will chair the meeting at 8:30 p.m., Sept. 12, at Embassy auditorium, Ninth st. and Grand ave.
>
> Speakers will include John Howard Lawson, Samuel Ornitz and Horace V. Alexander. * * *

On the sponsors list are Dr. Murray Abowitz, Jack Berman, Helen Blair, and others named there. Were you a sponsor of the meeting described in this article?

Miss BLAIR. I decline to answer that question on the same grounds.

Mr. TAVENNER. Did you know William Esterman as a member of the Communist Party?

Miss BLAIR. I decline to answer that question, also, on the same grounds.

Mr. TAVENNER. Were you a member of the Communist Party in 1952, the date of Blair Exhibit No. 2, and, also, on July 2, 1953, the date of the letterhead of the Committee to Secure Justice in the Rosenberg Case?

Miss BLAIR. I decline to answer that question on the same grounds.

Mr. TAVENNER. Will you tell the committee, please, what knowledge you have of the activity of the Communist Party in this area in

the promotion of the work of the Committee to Secure Justice in the Rosenberg Case?

Miss BLAIR. I decline to answer that question, also, on the same grounds.

Mr. TAVENNER. Were you a sponsor of the Los Angeles Committee for Protection of Foreign Born in a conference held on February 28, 1954, on the campaign to repeal the Walter-McCarran Law?

Miss BLAIR. I decline to answer that question on the same grounds.

Mr. TAVENNER. I hand you a thermofax copy of an excerpt from the February 2, 1954, issue of the People's World and ask you to state whether or not you see there a statement that joining the committee in sponsorship of the conference were Dr. Murray Abowitz, Jacob Aspiz, Helen Blair, and certain other persons?

Miss BLAIR. Same answer.

Mr. MOULDER. May I pursue the statement here for a moment?

The question is, do you see that on that document? The document is handed to you and it is a very simple question. Does your name appear in the article?

Miss BLAIR. I refuse to answer that question on the grounds of the fifth amendment.

Mr. TAVENNER. Did you participate in a sponsorship of that movement?

Miss BLAIR. I decline to answer that question on the same grounds.

Mr. TAVENNER. I desire to introduce the document in evidence and ask that it be marked "Helen Blair Exhibit No. 3."

Mr. MOULDER. It will be admitted into evidence as requested by counsel.

(Document marked "Helen Blair Exhibit No. 3," and retained in committee files.)

Mr. TAVENNER. Did I ask you where you were born?

Miss BLAIR. Yes; Morenci, Mich.

Mr. TAVENNER. Are you now a member of the Communist Party?

Miss BLAIR. I decline to answer that question on the same grounds as previously stated.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. MOULDER. You came to California from Michigan?

Miss BLAIR. Yes.

Mr. MOULDER. In what year?

Miss BLAIR. 1932.

Mr. MOULDER. You say by professional occupation you are a stenographer, self-employed?

Miss BLAIR. Yes. I do free-lance work, mostly.

Mr. MOULDER. Do you work out of an office?

Miss BLAIR. Occasionally.

Mr. MOULDER. Do you have a headquarters?

Miss BLAIR. Not in other offices.

Mr. MOULDER. You are just subject to call at your residence?

Miss BLAIR. Yes.

Mr. MOULDER. How long have you been here in California?

Miss BLAIR. It is 25 years.

Mr. MOULDER. During that period of time were you permanently or continuously occupied in any office?

Miss BLAIR. At various times for periods of a couple of years.

Mr. MOULDER. Law offices or other business enterprises?

Miss BLAIR. A couple of short periods in law offices, generally in small industry or other offices.

Mr. MOULDER. In the performance of such service, were you ever called upon to perform services for any Communist Party organization?

Miss BLAIR. I decline to answer that question on the same grounds as previously stated.

Mr. TAVENNER. Did you live at one time in Seattle, Wash.?

Miss BLAIR. No.

Mr. TAVENNER. I have no further questions.

Mr. MOULDER. The witness is excused.

Do you solemnly swear that the testimony which you are about to give before this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. BISKAR. I do.

TESTIMONY OF ETHEL BISKAR, ACCOMPANIED BY COUNSEL, JOHN T. McTERNAN

Mr. TAVENNER. Will you state you name, please?

Mrs. BISKAR. Mrs. Ethel Biskar.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

Mr. McTERNAN. I am John T. McTernan, 112 West 9th Street, Los Angeles, 15.

Mr. TAVENNER. When and where were you born, Mrs. Biskar?

Mrs. BISKAR. I was born in New York City in 1935.

Mr. TAVENNER. Where do you now reside?

Mrs. BISKAR. Los Angeles.

Mr. TAVENNER. What is your address?

Mrs. BISKAR. 4112 Palmwood Drive.

Mr. TAVENNER. How long have you lived in Los Angeles?

Mrs. BISKAR. Ten years.

Mr. TAVENNER. Prior to that, where did you live?

Mrs. BISKAR. New York City.

Mr. TAVENNER. Will you tell the committee, please, what your formal educational training has been?

Mrs. BISKAR. Junior high school, senior high school, and junior college.

Mr. TAVENNER. What has been your employment record since you have been in Los Angeles?

(The witness conferred with her counsel.)

Mrs. BISKAR. It is very difficult for me to remember each job. Do you want me to go into every job I have ever had?

Mr. TAVENNER. What is your present employment?

Mrs. BISKAR. I am employed by the Pacific Telephone and Telegraph Co.

Mr. TAVENNER. For how long?

Mrs. BISKAR. Four and a half years.

Mr. TAVENNER. Prior to that, what was your employment?

Mrs. BISKAR. I worked for an insurance company.

Mr. TAVENNER. For how long a period?

Mrs. BISKAR. About 6 months.

Mr. TAVENNER. Prior to that, how were you employed?

Mrs. BISKAR. I worked in the garment industry.

Mr. TAVENNER. What phase of the garment industry?

Mrs. BISKAR. I was an operator.

Mr. TAVENNER. Over what period of time were you so employed?

Mrs. BISKAR. The year was 1953.

Mr. TAVENNER. Mrs. Biskar, the committee's investigation has disclosed that on January 20, 1957, you were a delegate to the California State convention of the Communist Party held in Los Angeles; is that information correct?

Mrs. BISKAR. I am going to have to refuse to answer that question on, first of all, the grounds of the first amendment which gives me freedom of speech, press, assembly, etc., and also, on the grounds that I feel if I were to answer this question I would be undermining the traditional liberties and rights of the people of this country.

I also refuse to answer this question on the grounds of the fifth amendment.

Mr. TAVENNER. Were you a member of the Communist Party in 1957?

(The witness conferred with her counsel.)

Mr. TAVENNER. To be more specific, on January 20, 1957.

Mrs. BISKAR. I will have to refuse to answer on the grounds previously stated.

Mr. TAVENNER. Do you think it would undermine the rights of the people of this country if you were to tell this committee what you know about communism in Los Angeles?

Mrs. BISKAR. I refuse to answer that question on the grounds previously stated.

Mr. TAVENNER. Were you in attendance at the organizational meeting of the Southern District of the Communist Party for the State of California held in Los Angeles on April 13–14, 1957?

Mrs. BISKAR. Same answer.

Mr. TAVENNER. Were you a member of the Communist Party at that time?

Mrs. BISKAR. Same answer.

Mr. TAVENNER. The committee has information that you are presently under assignment of the Communist Party in youth work. Are you engaged in that type of work for the Communist Party?

Mrs. BISKAR. I will refuse to answer that question on the grounds previously stated.

Mr. TAVENNER. Are you at this time a member of the Youth Commission of the Communist Party for the Southern District of California?

Mrs. BISKAR. Same answer.

Mr. TAVENNER. Prior to the reorganization of the Communist Party in Southern California in April of 1957, had you at any time been a member of the Labor Youth League?

Mrs. BISKAR. I will have to refuse to answer that on the same grounds.

Mr. TAVENNER. Did you attend a meeting of the Labor Youth League at the Danish Auditorium, 1359 West 24th Street, on February 17, 1956?

Mrs. BISKAR. Same answer.

Mr. TAVENNER. Did you attend a lecture on dialectical materialism given by Frank Carlson before the Los Angeles County Labor Youth League on August 16, 1956, at a meeting held at 1251 South Andrews Place in Los Angeles?

Mrs. BISKAR. Same answer.

Mr. TAVENNER. What is the answer?

Mrs. BISKAR. The same answer.

Mr. TAVENNER. In other words, you refuse to answer?

Mrs. BISKAR. On the grounds that I have already stated.

Mr. TAVENNER. The committee's investigation discloses that the Labor Youth League was dissolved on February 24, 1957. Were you a member of it at the time of its dissolution?

Mrs. BISKAR. Same answer.

Mr. TAVENNER. During the course of this hearing—in fact that phase of it which was held in September of 1958—there was introduced in evidence a copy of a letter known as the letter of the 22 persons who signed grievances against the Communist Party. That is, by 22 persons who were members of the Communist party.

Are you acquainted with the preparation of that letter?

Mrs. BISKAR. I refuse to answer on the grounds previously stated.

Mr. TAVENNER. Subsequent to that, there was a letter of resignation sent into the Communist Party under date of March 26, 1958. Do you know anything about the preparation of that letter?

Mrs. BISKAR. Same answer.

Mr. TAVENNER. Are you aware of the fact that the persons who signed that letter of resignation did so in part for the reason that the Communist Party was under the complete control of the Soviet Union?

Mrs. BISKAR. I refuse to answer that question on the grounds previously stated.

Mr. TAVENNER. Did anyone approach you about the signing of a letter of resignation?

Mrs. BISKAR. Same answer.

Mr. TAVENNER. Do you know how many youth group organizations there are in the Communist Party in Los Angeles at this time?

Mrs. BISKAR. Same answer.

Mr. TAVENNER. Do you know whether adult members of the Communist Party are, or have been, assigned to these groups of young Communists for the purpose of directing them in their studies?

Mrs. BISKAR. I refuse to answer that question on the grounds previously stated.

Mr. TAVENNER. Are you a member of the Communist Party now?

Mrs. BISKAR. Same answer.

Mr. TAVENNER. I have no further questions.

Mr. MOULDER. I have one or two questions which I think should go into the record.

You say you were born in New York?

Mrs. BISKAR. That is true.

Mr. MOULDER. You came to California at what age?

Mrs. BISKAR. Thirteen.

Mr. MOULDER. You came here with your parents?

Mrs. BISKAR. Yes.

Mr. MOULDER. Were they born in New York?

Mrs. BISKAR. I don't see where this has any bearing on this investigation.

Mr. MOULDER. Maybe not. It is just preliminary questioning into your background. I was wondering whether your people were born in America or if they were naturalized.

(The witness conferred with her counsel.)

Mrs. BISKAR. I do not think it is pertinent to this investigation.

Mr. MOULDER. I do not have any other questions. Do you have any questions, Mr. Tavenner?

Mr. TAVENNER. I have no other questions.

Mr. MOULDER. You are excused.

Raise your right hand, please.

Do you solemnly swear that the testimony which you are about to give before this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ENFIAJIAN. I do.

TESTIMONY OF EDWARD M. ENFIAJIAN, ACCOMPANIED BY COUNSEL, JOHN T. McTERNAN

Mr. TAVENNER. Will you state your name, please?

Mr. ENFIAJIAN. My name is Edward M. Enfiajian.

Mr. TAVENNER. Will counsel please identify himself for the record?

Mr. McTERNAN. John T. McTernan, 112 Northwest 9th Street, Los Angeles.

Mr. TAVENNER. When and where were you born?

Mr. ENFIAJIAN. I was born in Los Angeles in 1928.

Mr. TAVENNER. Where do you now reside?

Mr. ENFIAJIAN. 944 North Western Avenue, Los Angeles, 29.

Mr. TAVENNER. Have you lived in Los Angeles all your life?

Mr. ENFIAJIAN. I have, sir.

Mr. TAVENNER. What has been your formal educational training?

Mr. ENFIAJIAN. I was educated in the public schools in Los Angeles, Los Angeles City College, and I have a bachelor of arts degree from Los Angeles State College and I have done graduate work since then.

Mr. TAVENNER. When were you awarded your B.A. degree?

Mr. ENFIAJIAN. I am not sure of the date. I believe it was in 1954 or 1955. It was in the summer.

Mr. TAVENNER. How are you employed?

Mr. ENFIAJIAN. I am employed as an engraver, a trophy engraver, and related work.

Mr. TAVENNER. How long have you been so employed?

Mr. ENFIAJIAN. About 4 years.

Mr. TAVENNER. The committee's investigation has disclosed that the first interest that you have shown in the Communist Party was around the year 1956 when you became active in the Labor Youth League.

Did your first interest in the Communist Party begin at that time and in that phase of Communist work?

Mr. ENFIAJIAN. Are you asking me of my interests?

Mr. TAVENNER. Was that your first interest in the Communist Party?

(The witness conferred with his counsel.)

Mr. ENFIAJIAN. Would you repeat that question, please?

Mr. TAVENNER. Is the committee's information correct that your first interest in the Communist Party was during the year 1956?

Mr. ENFIAJIAN. I will have to decline to answer that question, sir, on the constitutional grounds which are afforded me.

Mr. TAVENNER. The constitutional grounds?

Mr. ENFIAJIAN. That's right, sir.

Mr. TAVENNER. What constitutional grounds?

Mr. ENFIAJIAN. I have specifically in mind the first amendment of the Constitution and the fifth amendment of the Constitution and other privileges granted by the Federal Constitution.

Mr. TAVENNER. Are you including that provision of the fifth amendment relating to self-incrimination?

Mr. ENFIAJIAN. Yes, sir, I am including that.

Mr. TAVENNER. Were you active in the Labor Youth League work of the Communist Party in 1956?

Mr. ENFIAJIAN. I will not answer that question for the same grounds.

Mr. TAVENNER. As a matter of fact, were you not on the finance committee of the Labor Youth League?

Mr. ENFIAJIAN. I decline to answer that question on the same grounds.

Mr. TAVENNER. The committee has introduced into evidence during the course of these hearings a statement purportedly made by Dorothy Healey at the organizational meeting of the Communist Party in April of 1957 in which she outlined the program of the youth work of the Communist Party. We have introduced evidence relating to the type of youth work performed since that time in conformity with that program.

Now, I want to ask you whether or not you were at any time, or whether you have at any time since April 1957, been a member of the Youth Commission of the Communist Party for the Southern District of California.

Mr. ENFIAJIAN. I will decline to answer that question on the same grounds, sir.

Mr. TAVENNER. Is it not a fact that in October of 1958 you were given a position on the section level of the Communist Party in Southern California which made it inadvisable for you to continue work with the Youth Commission?

Mr. ENFIAJIAN. Are you asking me a question, sir?

Mr. TAVENNER. Yes.

Mr. ENFIAJIAN. Would you mind restating the question?

Mr. TAVENNER. Is it not a fact that you were given a position in October of 1958 on the section level of the Communist Party which necessitated your removal from the position of a member of the Youth Commission of the Communist Party?

Mr. ENFIAJIAN. I will not answer that question on the same grounds, sir.

Mr. TAVENNER. Were you a member of the Communist Party in October, 1958?

Mr. ENFIAJIAN. I will not answer that question for the same grounds.

Mr. TAVENNER. Are you at this time organizational secretary of the Communist Party?

Mr. ENFIAJIAN. I decline to answer that question on the same grounds, sir.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. MOULDER. What did you say your age was?

Mr. ENFIAJIAN. I said I was born in 1928.

Mr. MOULDER. Have you ever served in the Armed Forces of the United States?

Mr. ENFIAJIAN. I have.

Mr. MOULDER. In what capacity and what period of time?

Mr. ENFIAJIAN. I enlisted in the Air National Guard of California and that unit was called into Federal service on May 1, 1951. I served until 1953 in the Air Force of the United States.

Mr. MOULDER. You were discharged?

Mr. ENFIAJIAN. I was.

Mr. MOULDER. Did you receive an honorable discharge?

Mr. ENFIAJIAN. Yes, sir.

Mr. MOULDER. Are you married?

Mr. ENFIAJIAN. No, sir.

Mr. MOULDER. What is your present occupation?

Mr. ENFIAJIAN. I am doing engraving work for a trophy shop.

Mr. JOHANSEN. Did you, as a member of the Armed Forces, take an oath stating that you were not a member of any organization committed to the overthrow of the Government of the United States by force and violence?

Mr. ENFIAJIAN. I decline to answer that question, sir, on the same grounds.

Mr. JOHANSEN. Do I understand you, then, to say that you believe that it would incriminate you to answer a factual question as to whether you did take such an oath?

(The witness conferred with his counsel.)

Mr. ENFIAJIAN. My attorney advises me that I do not have to state the reason for claiming my privileges under the Constitution.

Mr. JOHANSEN. You were honorably discharged?

Mr. ENFIAJIAN. That is correct.

Mr. JOHANSEN. Did you serve in Korea?

Mr. ENFIAJIAN. No, sir, I did not. The principal part of my service was in Germany.

Mr. TAVENNER. Were you a member of the Communist Party before you became a member of the Armed Forces?

Mr. ENFIAJIAN. I decline to answer that question, sir, on the same grounds.

Mr. TAVENNER. I have no further questions.

Mr. MOULDER. Were you a member of the Communist Party at any time while serving in the Armed Forces?

Mr. ENFIAJIAN. I decline to answer that question, sir, on the same grounds.

Mr. MOULDER. Were you a member of any organization which seeks to overthrow our present form of Government by force or violence?

Mr. ENFIAJIAN. I decline to answer that question on the same grounds.

Mr. MOULDER. The witness is excused.

Do you solemnly swear that the testimony which you are about to give before this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MAYMUDES. I do.

TESTIMONY OF AUGUST MAYMUDES, ACCOMPANIED BY COUNSEL, JOHN T. McTERNAN

Mr. TAVENNER. Will you state your name, please?

Mr. MAYMUDES. August Maymudes.

Mr. TAVENNER. Spell your last name.

Mr. MAYMUDES. M-a-y-m-u-d-e-s.

Mr. TAVENNER. Will counsel please identify himself for the record?

Mr. McTERNAN. John T. McTernan, 112 West Ninth Street, Los Angeles 15, Calif.

Mr. TAVENNER. When and where were you born?

Mr. MAYMUDES. I was born August 25, 1930, in the city of New York.

Mr. TAVENNER. Where do you now reside?

Mr. MAYMUDES. At 811 or 813 North Hiberian. There are two apartments with a common entrance and I have never been quite sure.

Mr. TAVENNER. Los Angeles?

Mr. MAYMUDES. Yes.

Mr. TAVENNER. How long have you lived in Los Angeles?

Mr. MAYMUDES. Since 1933.

Mr. TAVENNER. What is your occupation?

Mr. MAYMUDES. Pharmacist.

Mr. TAVENNER. How long have you been following that occupation?

Mr. MAYMUDES. I have been employed in the field for 8 years. I have been a licensed pharmacist for about a year and a half.

Mr. TAVENNER. Will you tell the committee briefly, please, what your formal educational training has been?

Mr. MAYMUDES. Public schools in Los Angeles through high school and a degree in doctor of pharmacy from the University of Southern California.

Mr. TAVENNER. Are you acquainted with Shifra Goldman?

(The witness conferred with his counsel.)

Mr. MAYMUDES. I refuse to answer that question on the basis of the first and fifth amendments.

Mr. TAVENNER. Are you also acquainted with Edward M. Enfiajian?

Mr. MAYMUDES. I refuse on the same basis.

Mr. TAVENNER. Admiral Dawson?

Mr. MAYMUDES. I refuse on the same basis.

Mr. TAVENNER. Ethel Biskar?

Mr. MAYMUDES. I refuse on the same basis.

Mr. TAVENNER. And Charlene Mitchell?

Mr. MAYMUDES. I refuse on the same basis.

Mr. TAVENNER. Eleanor Smith?

Mr. MAYMUDES. I refuse on the same basis.

Mr. TAVENNER. Mr. Maymudes, are you familiar with a report made by Dorothy Healey at the organizational meeting of the Communist

Party for the Southern District of California held in April, 1957, relating to the youth movement in southern California?

(The witness conferred with his counsel.)

Mr. MAYMUDES. I refuse to answer on the same grounds.

Mr. TAVENNER. Shortly after that meeting, in April of 1957, were you appointed to the Youth Commission of the Communist Party composed of the persons whose names I asked you about a few moments ago?

Mr. MAYMUDES. I refuse to answer on the same grounds.

Mr. TAVENNER. Are you now a member of the Youth Commission of the Communist Party for the Southern District of California?

Mr. MAYMUDES. I refuse to answer on the same grounds.

Mr. TAVENNER. Have you served in the Armed Forces of the United States?

(The witness conferred with his counsel.)

Mr. MAYMUDES. Yes, I have.

Mr. TAVENNER. Over what period of time?

Mr. MAYMUDES. From March of 1951 until February of 1953.

Mr. TAVENNER. In what branch of the service were you?

Mr. MAYMUDES. I was in the Army.

Mr. TAVENNER. Did you receive an honorable discharge?

Mr. MAYMUDES. Yes, I did.

Mr. TAVENNER. Were you a member of the Communist Party prior to your entry into the armed service?

Mr. MAYMUDES. I refuse to answer on the same grounds as previously stated.

Mr. TAVENNER. Were you a member of the Communist Party at any time while you were serving in the Armed Forces of the United States?

Mr. MAYMUDES. I refuse to answer on the same grounds.

Mr. TAVENNER. In what area did you serve? Were you in Korea?

Mr. MAYMUDES. I served in Japan the majority of my time.

Mr. TAVENNER. Were you in Korea during any part of your service?

Mr. MAYMUDES. No.

Mr. JOHANSEN. Did you, upon entering the Army, take an oath swearing that you belonged to no organization which advocated the overthrow of the Government by force and violence?

(The witness conferred with his counsel.)

Mr. MAYMUDES. I refuse to answer on the same grounds.

Mr. JOHANSEN. Are you a member of the Communist Party now?

Mr. MAYMUDES. I refuse to answer on the same grounds.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. MOULDER. The witness is excused.

Do you solemnly swear that the testimony which you are about to give before this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. GOLDMAN. I do.

TESTIMONY OF SHIFRA GOLDMAN, ACCOMPANIED BY COUNSEL, ESTHER SHANDLER

Mr. TAVENNER. State your name, please.

Mrs. GOLDMAN. Shifra Goldman.

Mr. TAVENNER. Miss or Mrs.?

Mrs. GOLDMAN. Mrs.

Mr. TAVENNER. Spell your first name, please.

Mrs. GOLDMAN. S-h-i-f-r-a.

Mr. TAVENNER. Will counsel accompanying the witness please identify herself?

Miss SHANDLER. Esther Shandler.

Mr. TAVENNER. What was your maiden name, Mrs. Goldman?

Mrs. GOLDMAN. Before I answer that question, I would like to inquire to the nature of this discussion here today.

Mr. MOULDER. May we ask counsel for additional information concerning her location and so forth?

Miss SHANDLER. I am located at 208 West 8th Street, Los Angeles.

Mr. TAVENNER. The witness has asked to be advised with respect to this hearing.

At the beginning of this meeting, the chairman announced that this is a continuation of the hearing begun here in September of 1958. He read into the record the resolution adopted by this committee on the 23d of January 1959, authorizing the holding of this hearing, which I will review with you. The resolution is as follows:

Be it resolved, That a hearing by the Committee on Un-American Activities, or a subcommittee thereof, to be held in Los Angeles, Calif., or at such other place or places as the chairman may designate, on such date or dates as the chairman may determine, be authorized and approved, including the conduct of investigations deemed reasonably necessary by the staff in preparation therefor, relating to the extent, character and objects of Communist Party activities in California, with special reference to such activities in southern California, the legislative purpose being:

1. (a) To obtain additional information for use by the committee in its consideration of section 16 of H.R. 9352 relating to the proposed amendment of section 4 of the Communist Control Act of 1954 referred to the Committee on Un-American Activities on August 19, 1957, prescribing a penalty for knowingly and willfully becoming or remaining a member of the Communist Party with knowledge of the purposes or objectives thereof; and

(b) To obtain additional information, adding to the committee's overall knowledge on the subject so that Congress may be kept informed and thus prepared to enact remedial legislation in the national defense, and for internal security, when and if the exigencies of the situation require it.

2. In the exercise of continuous watchfulness of the execution by the administrative agency concerned of laws the subject matter of which is within the juridiction of this committee, to obtain information to assist the House in appraising the administration of such laws and in developing such amendments or related legislation as the committee may deem necessary.

Now, my question to you is, will you please state your maiden name?

Mrs. GOLDMAN. In view of what you just read to me, what relevancy does my maiden name have to your discussion?

Mr. TAVENNER. May I have a direction? It is a matter of identification of the witness.

Mr. MOULDER. It is purely an introductory statement asked of you so you may identify yourself for the record as a witness subpenaed here before this committee and you are directed to answer the question.

(The witness conferred with her counsel.)

Mrs. GOLDMAN. If I understand the question correctly, you want my identification. I have identified myself as the person identified in the subpena.

Mr. TAVENNER. Will you please answer my question?

(The witness conferred with her counsel.)

Mr. TAVENNER. I am not certain whether the chairman directed her to answer the question.

Mr. MOULDER. Yes, she has been directed to answer the question.

Mrs. GOLDMAN. I feel that this is an invasion of my rights under the Constitution of the United States to freedom of speech and association and I will claim the privileges of the two amendments that guarantee me these rights, the first and the fifth amendment.

Mr. TAVENNER. Are you relying upon that part of the fifth amendment which relates to self-incrimination?

Mrs. GOLDMAN. I would say the right of a witness not to testify against himself, yes.

Mr. TAVENNER. Do you honestly believe that to answer the question as to what your maiden name was would tend to incriminate you?

(The witness conferred with her counsel.)

Mr. TAVENNER. If you do not honestly believe that, you are just attempting to play with this committee.

Mrs. GOLDMAN. I stand on the same answer I gave previously.

Mr. MOULDER. I did not understand the witnesss' name stated in the beginning. What did you say it was?

Mrs. GOLDMAN. G-o-l-d-m-a-n.

Mr. MOULDER. What is the first name?

Mrs. GOLDMAN. S-h-i-f-r-a.

Mr. MOULDER. Is that Miss or Mrs.?

Mrs. GOLDMAN. As I stated before, it is Mrs.

Mr. MOULDER. Then you are married?

Mrs. GOLDMAN. No, I am not.

Mr. MOULDER. You are divorced?

Mrs. GOLDMAN. Yes, I am.

Mr. MOULDER. Since you answered those questions concerning your marital status, will you tell us what your name was before you were married?

Mrs. GOLMAN. I would like to decline to answer the question on the same grounds previously stated.

Mr. TAVENNER. When and where were you born?

Mrs. GOLDMAN. I was born in the United States in 1926.

Mr. TAVENNER. In what part of the United States?

Mrs. GOLDMAN. New York.

Mr. TAVENNER. Will you state the date and place, please?

Mrs. GOLDMAN. 1926; that makes me 32 years old.

Mr. TAVENNER. Where do you now reside?

Mrs. GOLDMAN. Los Angeles.

Mr. TAVENNER. At what address?

Mrs. GOLDMAN. 4419 Seventh Avenue.

Mr. TAVENNER. How long have you lived in Los Angeles?

Mrs. GOLDMAN. Approximately 15 years.

Mr. TAVENNER. Have you lived in Los Angeles continuously since that date?

Mrs. GOLDMAN. Yes, I have.

Mr. TAVENNER. Tell the committee what your formal educational training has been.

Mrs. GOLDMAN. I graduated high school and I proceeded to college.

Mr. TAVENNER. Where did you attend college?

Mrs. GOLDMAN. The University of California at Los Angeles.

Mr. TAVENNER. How many years did you attend?

Mrs. GOLDMAN. Four and a half years.

Mr. TAVENNER. What was your last year of attendance?

Mrs. GOLDMAN. Do you mean which year did I leave the school?

Mr. TAVENNER. Yes.

Mrs. GOLDMAN. 1948.

Mr. TAVENNER. That was your last attendance?

Mrs. GOLDMAN. Yes.

Mr. TAVENNER. What is your profession?

Mrs. GOLDMAN. I am a bookkeeper.

Mr. TAVENNER. How long have you been employed as such?

Mrs. GOLDMAN. It has been several years, about 4 years or thereabouts. Three or four years.

Mr. TAVENNER. Mrs. Goldman, the committee has introduced in evidence as Healey Exhibit No. 7, a report which she made to the Communist Party Southern District of California convention held on April 13, 1957. A part of that report deals with the youth movement of the Communist Party. Are you familiar with that part of her report?

Mrs. GOLDMAN. I decline to answer on the grounds previously stated.

Mr. TAVENNER. Shortly after the report made by her in April 1957, did you take any part in the implementation of the program for the Communist youth in this area?

Mrs. GOLDMAN. I still decline to answer on the same grounds.

Mr. TAVENNER. Were you not a member and are you not now a member of the Youth Commission of the Communist Party for the Southern District of California?

Mrs. GOLDMAN. I decline on the same grounds.

Mr. TAVENNER. Is there not a youth group in existence now which is known as the Shifra Goldman Study Group?

Mrs. GOLDMAN. I decline to answer on the same grounds.

Mr. TAVENNER. Are you now engaged in the education of youth in Communist principles in this area?

Mrs. GOLDMAN. I decline on the same grounds. I wish to state that I am going to decline all answers to these questions on that same ground.

Mr. MOULDER. Do you take the position that you are not going to answer any questions?

Mrs. GOLDMAN. No; I did not say that. I mean this type of question.

Mr. MOULDER. Do you have any knowledge of any subversive or disloyal acts on the part of any person whom you would consider to be a danger to our form of Government?

(The witness conferred with her counsel.)

Mrs. GOLDMAN. I still decline to answer on the same grounds.

Mr. MOULDER. Do you have any knowledge whatsoever concerning any action being taken by any organization involved with, and in cooperation with, the Communist conspiracy or the Soviet Union, Mrs. Goldman?

Mrs. GOLDMAN. I still decline to answer on the same grounds.

Mr. MOULDER. In other words, you are taking the position that you will not answer any questions as an American citizen concerning anything which might endanger our Government, our people of America, is that correct?

(The witness conferred with her counsel.)

Mrs. GOLDMAN. As I stated, I am not going to answer any questions which invade my rights under the first and fifth amendment. That is what I meant when I said I would not answer such questions.

Mr. JOHANSEN. Do you mean you will invoke such rights but you will decline to answer any questions which relate to a threat to the Government and the Constitution which guarantees the very rights you enjoy?

Mrs. GOLDMAN. I invoke my rights and I think I have explained why I invoked them and I am still invoking them, if that is in answer to your question.

Mr. TAVENNER. I referred to what the committee has ascertained to be a youth group of the Communist Party which goes by the name of the Shifra Goldman Group. Is it correct that the age spread of the members of that youth group is 17 to 30 years?

Mrs. GOLDMAN. I decline to answer on the same grounds.

Mr. TAVENNER. What percentage of that group is ready for induction into regular membership in the Communist Party at this time?

Mrs. GOLDMAN. I decline on the same grounds.

Mr. TAVENNER. Is it the practice in your group to have different functionaries of the Communist Party appear before the group as instructors?

Mrs. GOLDMAN. I decline on the same grounds.

Mr. MOULDER. You are an American citizen, are you not?

(The witness conferred with her counsel.)

Mrs. GOLDMAN. Yes, I am.

Mr. JOHANSEN. Have you ever served as a member of any branch of the Armed Forces?

Mrs. GOLDMAN. No, I have not. I was not old enough.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mrs. GOLDMAN. I still decline to answer on the same grounds.

Mr. TAVENNER. I have no further questions.

Mr. MOULDER. You are excused.

The committee will recess until 9:30 a.m., tomorrow.

(Whereupon, at 3:40 p.m., Tuesday, February 24, 1959, the hearing was recessed, to be reconvened at 9:30 a.m., on the following day.)

THE SOUTHERN CALIFORNIA DISTRICT OF THE COMMUNIST PARTY

Structure—Objectives—Leadership

WEDNESDAY, FEBRUARY 25, 1959

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Los Angeles, Calif.

EXECUTIVE SESSION [1]

The subcommittee of the Committee on Un-American Activities met, pursuant to notice at 9:30 a.m., in Room 229 Federal Building, Los Angeles, Calif., Hon. Francis E. Walter, chairman, presiding.

Committee members present: Representatives Francis E. Walter, of Pennsylvania, Morgan M. Moulder, of Missouri, and August E. Johansen, of Michigan.

Staff members present: Frank S. Tavenner, Jr., counsel; and William A. Wheeler, investigator; Mrs. William A. Wheeler, acting clerk.

Chairman WALTER. The committee will come to order.

TESTIMONY OF MATILDA MOLINA TOLLY, ACCOMPANIED BY COUNSEL, JOHN T. McTERNAN

Mr. WALTER. Will you raise your right hand, please?

Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. TOLLY. I do.

Mr. TAVENNER. Will you state your name, please?

Mrs. TOLLY. Matilda Tolly.

Mr. TAVENNER. How do you spell your last name?

Mrs. TOLLY. T-o-l-l-y.

Mr. TAVENNER. Will counsel please identify himself for the record?

Mr. McTERNAN. I am John T. McTernan, 112 West 9th Street, Los Angeles, 15.

Mr. TAVENNER. Are you "Miss" or "Mrs."?

Mrs. TOLLY. "Mrs."

Mr. TAVENNER. What was your maiden name?

Mrs. TOLLY. Molina.

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[1] Released by the committee and ordered to be printed.

Mr. TAVENNER. Have you also been known by the married name of Berry?

Mrs. TOLLY. That was my previous name.

Mr. TAVENNER. Where do you reside, Mrs. Tolly?

Mrs. TOLLY. 1822 Bellevue.

Mr. TAVENNER. Where were you born?

Mrs. TOLLY. Arizona.

Mr. TAVENNER. How long have you lived in Los Angeles?

Mrs. TOLLY. I believe since 1926.

Mr. TAVENNER. Will you tell the committee, please, what your educational training has been?

Mrs. TOLLY. I went a year to high school.

Mr. TAVENNER. What is your present occupation?

Mrs. TOLLY. I am a housewife.

Mr. TAVENNER. What was your last occupation other than that of a housewife?

Mrs. TOLLY. I don't remember. I have worked all over the city at sometime or other, so I really couldn't tell you. I have done practically everything.

Mr. TAVENNER. Have you at any time used the name Hilda Knox?

(The witness conferred with her counsel.)

Mrs. TOLLY. I invoke the fifth amendment. I refuse to answer that question because it might tend to incriminate me and it is not pertinent.

Mr. TAVENNER. Is it not a fact that you joined the Communist Party in 1933 here in Los Angeles and that you registered under the name of Hilda Knox?

(The witness conferred with her counsel.)

Mrs. TOLLY. I refuse to answer on the same grounds.

Mr. TAVENNER. I hand you a photostatic copy of an affidavit of registration sworn to on August 16, 1939, to vote, in which it shows the affiliation of the affiant. Will you examine it, please, and state whether or not this is an affidavit prepared by you?

(A document was handed to the witness.)

(The witness conferred with her counsel.)

Mrs. TOLLY. I refuse to answer on the same grounds.

Mr. TAVENNER. I desire to offer the document in evidence and ask that it be marked Tolly Exhibit No. 1.

Mr. WALTER. It may be so marked.

(Document marked "Tolly Exhibit No. 1" and retained in committee files.)

Mr. TAVENNER. Will you examine the name appearing in the affidavit as the affiant, namely, Mrs. Matilda Berry, and state whether or not that is your signature?

(A document was handed to the witness.)

(The witness conferred with her counsel.)

Mrs. TOLLY. I refuse to answer on the same grounds.

Mr. TAVENNER. Mr. Chairman, the affidavit shows that the affiliation given by the affiant is that of the Communist Party.

Were you a member of the Communist Party on August 16, 1939?

(The witness conferred with her counsel.)

Mrs. TOLLY. I refuse to answer on the same grounds.

Mr. TAVENNER. I hand you a similar affidavit of registration, sworn and subscribed to on July 16, 1942, and ask you to examine it and state whether or not you identify the signature thereto as being your signature.

(A document was handed to the witness.)

(The witness conferred with her counsel.)

Mrs. TOLLY. I refuse to answer on the same grounds.

Mr. TAVENNER. I desire to offer the document in evidence and ask that it be marked Tolly Exhibit No. 2.

Mr. WALTER. It will be so marked.

(Document marked "Tolly Exhibit No. 2" and retained in committee files.)

Mr. TAVENNER. Were you a member of the Communist Party on July 16, 1942?

Mrs. TOLLY. I refuse to answer on the same grounds.

Mr. TAVENNER. Were you a member of the Belmont-Temple Club of the Communist Party during the year 1947?

Mrs. TOLLY. I refuse to answer on the same grounds.

Mr. TAVENNER. Were you not press director for that club as shown by the February 28, 1947, issue of the People's World?

Mrs. TOLLY. I refuse to answer on the same grounds.

Mr. TAVENNER. It is the committee's information that you were a delegate to the California State convention of the Communist Party held on January 19–20, 1957. Were you a delegate to that convention?

Mrs. TOLLY. I refuse to answer on the same grounds.

Mr. TAVENNER. It is the committee's information that you were also a delegate to the Southern California District convention of the Communist Party held on April 13–14, 1957. Were you a delegate to that convention?

Mrs. TOLLY. I refuse to answer on the same grounds.

Mr. TAVENNER. Will you tell the committee, please, what assignments were given to you to carry out Communist Party obligations and functions since April 13, 1957?

Mrs. TOLLY. I refuse to answer that question on the same grounds.

Mr. TAVENNER. The committee, from its investigation, has determined that special instructions were given from time to time to party members to perform certain types of work within churches. Were you assigned work of that character?

Mrs. TOLLY. I refuse to answer that question, also, on the same grounds.

Mr. TAVENNER. Are you a member of the Communist Party now?

Mrs. TOLLY. I refuse to answer that question on the same grounds.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. WALTER. The witness is excused.

(Whereupon, at 9:55 a.m., the witness was excused.)

TESTIMONY OF MARK ROBINSON, ACCOMPANIED BY COUNSEL, JOHN T. McTERNAN

Mr. WALTER. Will you raise your right hand, please?

Do you swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ROBINSON. I do.

Mr. TAVENNER. Will you state your name, please?

Mr. ROBINSON. Mark Robinson.

Mr. TAVENNER. Will counsel please identify himself for the record?

Mr. McTERNAN. John T. McTernan, 112 W. 9th Street, Los Angeles, 15.

Mr. TAVENNER. When and where were you born, Mr. Robinson?

(The witness conferred with his counsel.)

Mr. ROBINSON. I was born in Alberta, Canada, in 1915.

Mr. TAVENNER. When did you come to the United States?

Mr. ROBINSON. In 1918.

Mr. TAVENNER. Are you a naturalized American citizen?

(The witness conferred with his counsel.)

Mr. ROBINSON. I have a certificate of naturalization. I also claim citizenship because of the citizenship of my parents.

Mr. TAVENNER. In other words, derivative citizenship?

Mr. WALTER. No. He is naturalized and he claims derivative citizenship.

Mr. McTERNAN. No, sir.

(The witness conferred with his counsel.)

Mr. ROBINSON. I was born in Canada of American citizens and claim citizenship thereby.

Mr. TAVENNER. What was your father's name?

Mr. ROBINSON. James Roger Robinson.

Mr. TAVENNER. You state you also have a certificate of naturalization. When and where were you naturalized?

Mr. ROBINSON. I was naturalized in Pulaski County, Missouri, in December, I believe, 1942, while a member of the Armed Forces.

Mr. TAVENNER. Where do you now reside?

Mr. ROBINSON. At 4441 Lynnfield Street, Los Angeles, California.

Mr. TAVENNER. How long have you resided in Los Angeles?

Mr. ROBINSON. Since 1946.

Mr. TAVENNER. Where did you live prior to that?

Mr. ROBINSON. Immediately prior to my coming to Los Angeles, I was a member of the Armed Forces practically all over the world. Do you want me to go further? Do you want to know where I lived before that?

Mr. TAVENNER. When did you enter the armed services?

Mr. ROBINSON. In 1942.

Mr. TAVENNER. You were discharged when?

Mr. ROBINSON. 1946.

Mr. TAVENNER. Do you hold an honorable discharge?

Mr. ROBINSON. Yes, sir.

Mr. TAVENNER. Will you tell the committee, please, what your educational training has been?

Mr. ROBINSON. I am a graduate of a public high school. I have one semester in one subject in college.

Mr. TAVENNER. What is your present occupation?

Mr. ROBINSON. I am a furniture worker.

Mr. TAVENNER. Were you a member of the Communist Party at the time of your naturalization in Missouri in 1942?

Mr. ROBINSON. I decline to answer this question on the grounds of the first amendment to the Constitution which invades my right to free speech and association and on the further grounds that such a question is not pertinent to any matters into which this committee may legislate.

Mr. TAVENNER. Mr. Robinson, in September, the committee conducted a hearing in Los Angeles and this is a continuance of that hearing. At that time there was introduced in evidence as "Healey Exhibit No. 24," a letter under date of March 26, 1958, addressed to the National Committee of the Communist Party of the United States which was a letter of resignation from the Communist Party of a number of individuals.

Your name does not appear as one of the signatories to that letter. However, from the investigation that the committee has made we understand that this letter was submitted to you and that you have seen it, and that you have endorsed it, and actually have withdrawn from the Communist Party. If that is true, we want this record to show it. Will you state whether or not you have withdrawn from the Communist Party?

(The witness conferred with his counsel.)

Mr. ROBINSON. I decline to answer this on the same grounds as previously stated.

Mr. TAVENNER. This letter contains a statement, Mr. Robinson, on behalf of those who signed it, that, "We do not believe that conditions are yet ripe for the emergence of a definitive program and organization. But we do feel that more limited steps can be taken which will help prepare the soil for something new * * *."

What is that "something new" referred to in that letter by those who resigned?

(The witness conferred with his counsel.)

Mr. ROBINSON. I will decline to answer that question on the same grounds.

Mr. TAVENNER. Do you know who composed this letter?

Mr. ROBINSON. Same answer.

Mr. TAVENNER. Did you agree with its contents?

Mr. ROBINSON. The same answer.

Mr. TAVENNER. As a worker in the furniture business, I assume that you were a member of a union in that field, were you not, or are you not?

(The witness conferred with his counsel.)

Mr. ROBINSON. I decline to answer this question on the same grounds.

Mr. TAVENNER. Numerous meetings of the Communist Party have been held at which Bernard Lusher, the head of the Labor Commission of the Communist Party, spoke and made plans for the work

of the Communist Party within the field of labor. Are you acquainted with his plans?

(The witness conferred with his counsel.)

Mr. ROBINSON. I decline to answer on the same grounds.

Mr. TAVENNER. Are you a member of the Communist Party now?

Mr. ROBINSON. I decline to answer on the same grounds.

Mr. TAVENNER. I have no further questions.

Mr. JOHANSEN. When you entered the armed services, did you sign an affidavit under oath or otherwise swear that you did not belong to any organization which advocated the overthrow of the Government by force and violence?

(The witness conferred with his counsel.)

Mr. ROBINSON. I decline to answer this question on the same grounds.

Mr. JOHANSEN. In what branch of the armed services did you serve?

Mr. ROBINSON. The U.S. Army.

Mr. WALTER. The witness is excused.

(Whereupon at 10:45 a.m., the witness was excused.)

TESTIMONY OF DELFINO VARELA, ACCOMPANIED BY COUNSEL, ESTHER SHANDLER

Mr. WALTER. Will you stand and raise your right hand?

Do you swear that the testimony which you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. VARELA. I do.

Mr. TAVENNER. What is your name, please, sir?

Mr. VARELA. My name if Delfino Varela.

Mr. TAVENNER. Will counsel accompanying the witness please identify herself for the record?

Miss SHANDLER. Esther Shandler, 208 West 8th Street, Los Angeles, 14.

Mr. TAVENNER. When and where were you born, Mr. Varela?

Mr. VARELA. Pecos, N. Mex., November 14, 1926.

Mr. TAVENNER. Where do you now reside?

Mr. VARELA. Los Angeles, Calif.

Mr. TAVENNER. How long have you lived in Los Angeles?

Mr. VARELA. For approximately 3½ years; September, of 1955.

Mr. TAVENNER. Will you tell the committee, please, what your educational training has been?

Mr. VARELA. I hold a bachelor of arts degree from the University of New Mexico, in education and a master of social work degree from the University of Michigan.

Mr. TAVENNER. The University of Michigan?

Mr. VARELA. Yes, sir.

Mr. TAVENNER. What is your present occupation?

Mr. VARELA. Social worker.

Mr. TAVENNER. In Los Angeles?

Mr. VARELA. In Los Angeles, yes, sir.

Mr. TAVENNER. How long have you been engaged in that occupation?

Mr. VARELA. In Los Angeles or in general?

Mr. TAVENNER. In Los Angeles.

Mr. VARELA. The same time as my residence, approximately three and a half years.

Mr. TAVENNER. Prior to that period of time, what was your employment?

Mr. VARELA. Prior to that period of time I was a social service worker in Detroit, Michigan.

Mr. TAVENNER. How long were you a social worker in Detroit Michigan, and between what dates?

Mr. VARELA. Between March of 1954 and around July of 1955.

Mr. TAVENNER. Prior to that time, how were you employed?

Mr. VARELA. I was also a social worker.

Mr. TAVENNER. Where?

Mr. VARELA. Pittsburgh.

Mr. TAVENNER. Will you give us the dates of your employment at Pittsburgh?

Mr. VARELA. Approximately between September of 1952 and March of 1954.

Mr. TAVENNER. While you were engaged in the work of a social worker in Pittsbugh, were you a member of the Communist Party?

Mr. VARELA. My civic activity has been dedicated to helping disabled people and the Mexican-American people, of which I am one, to assume the full responsibilities of their citizenship and to participate more fully in their democracy. However, I find that this type of questioning into people's associations and beliefs has been a detriment to these objectives in the sense that it has created suspicions and fears about any type of civic work.

Furthermore, answers to questions on associations and beliefs, in my opinion, violate the first amendment to the Constitution which forbids Congress from legislating in this area and consequently, from investigating in this area.

Therefore, I must also—questions asked at hearings of this type can and often have been used against people in future proceedings no matter how innocent these people may be, and, therefore, I must respectfully decline to answer the question and avail myself of the privileges afforded me by the first and fifth amendment.

Mr. TAVENNER. Are you referring to that provision of the fifth amendment relating to self-incrimination?

(The witness conferred with his counsel.)

Mr. VARELA. I refer to that part of the fifth amendment which provides that no person need be a witness against himself.

Mr. TAVENNER. Were you a member of the Communist Party while you were engaged in social work in Detroit between 1954 and 1955?

Mr. VARELA. Again, sir, I must respectfully decline to answer the question on the same grounds as I have previously stated.

Mr. WALTER. By whom were you employed while in Detroit?

Mr. VARELA. I wonder if the committee at this time would inform me as to the subject under inquiry here today and how this subject relates to my place of employment.

Mr. WALTER. This is merely a preliminary question.

Mr. VARELA. I would like the—

Mr. WALTER. You have already testified that you were engaged in this type of work and I think we have a right to know whether or not you were doing it for a private organization, a public organization,

or you were doing it as an act of charity yourself. You have opened the door for this line of questioning.

Mr. VARELA. I would like to request again that the committee explain to me the subject under inquiry and the relevancy of my place of employment to the specific subject under inquiry here.

Mr. WALTER. Are you going to answer the question?

Mr. VARELA. Since I fail to understand the relevancy or the pertinency of the question, I would like to request that it be withdrawn.

Mr. WALTER. The committee is endeavoring to ascertain what the objective of the Communist movement is at the moment, and in endeavoring to ascertain these facts, we would like to know just exactly what you have been doing, because we have information that you are and have been connected with this Communist movement.

Mr. VARELA. Mr. Chairman, my employer in Detroit is engaged in providing social service and bringing the name of an employer into these types of hearings, I am afraid, might jeopardize the ability of these employers to provide the social service.

Furthermore, the chairman of this committee made it quite clear some time ago that he had no intention that these hearings should be the cause of people losing their jobs. I am sure that you can appreciate the problems that a disabled person like myself would have in gaining employment when dismissed under these circumstances and combining that with the problems of any disabled persons——

Mr. WALTER. I appreciate that very fully and I feel very sympathetic, and for that reason I cannot understand why you would not lean over backward to avoid doing anything that would make your position or any position less secure.

Mr. VARELA. For that reason—that was one of my reasons for requesting that questions as to my employers' identity be withdrawn.

Mr. WALTER. Mr. Tavenner can ask the question, and you can decline to answer it if you see fit.

(The witness conferred with his counsel.)

Mr. TAVENNER. We are merely asking you for whom you were working while you were in Michigan.

Mr. VARELA. I would rather not say.

Mr. WALTER. Do you decline to answer that?

Mr. VARELA. Yes, sir.

Miss SHANDLER. That was not a direction, was it?

Mr. WALTER. No.

Mr. TAVENNER. You mentioned the fact that you were interested in Mexican affairs. Have you read the resolution presented at the organizational meeting of the District Council of the Communist Party for the Southern District of California which was held in April of 1957?

Mr. VARELA. Sir, I would like to decline to answer that question, respectfully, on the grounds that I have previously stated.

Mr. TAVENNER. Is there an organization within the Communist Party in the Southern District of California which centers upon activities, Communist Party activities, with Mexicans?

Mr. VARELA. I respectfully decline to answer the question, sir, on the grounds that I have previously stated.

Mr. TAVENNER. Are you currently a member of the Boyle Heights Club of the Communist Party?

Mr. VARELA. Again, sir, I would like to respectfully decline to answer your question on the grounds I have previously stated.

Mr. TAVENNER. Is the Boyle Heights Club within the Zapata Section of the Communist Party?

Mr. VARELA. I decline to answer that question, respectfully, sir, on the grounds I have previously stated.

Mr. WALTER. Where is that section?

Mr. WHEELER. Los Angeles.

Mr. TAVENNER. Are you now acting under any assignment from the Communist Party?

Mr. VARELA. I respectfully decline to answer the question on the grounds I previously stated.

Mr. JOHANSEN. Mr. Chairman, in that connection I would like the record to show very clearly that the witness gave as one of his grounds for declining to answer that to do so would involve testifying against himself.

Mr. WALTER. I think the record will show that.

Mr. TAVENNER. Will you tell the committee, please, what new plans have been evolved by the Communist Party with respect to the Mexican question?

Mr. VARELA. I respectfully decline to answer the question, sir, on the grounds that I previously stated.

Mr. WALTER. This is particularly important. There has been introduced in Congress several bills, one by Mr. Celler of New York, imposing a quota on Mexican immigration. Ever since I have been chairman of the Immigration and Naturalization Subcommittee, we have felt that there ought not to be any quotas in the Western Hemisphere and there are not any, as you know, and anyone from the Argentine all the way from Newfoundland, for that matter, can come into the United States. It has proved satisfactory.

Now, if there is going to be an organization of Communists within this Mexican-American group, it may well be that the same thing will happen that has happened in other areas, and it would be indeed unfortunate for our diplomatic relations in this hemisphere. So I think you ought to consider this very carefully.

You are employed and you can render a great service to the people in whom you say you are interested and, if you are sincerely interested in them, I think you will answer these questions.

Mr. VARELA. Sir, it is because of the reasons that I stated previously that I do feel that questions into people's associations and beliefs make the work of helping people to be good citizens and participate fully in the community because I do believe that this type of inquiry does violate the first amendment to the Constitution and, also, questions, no matter how you answer them, can and have been used in later proceedings, and for that reason I must respectfully decline to answer on the grounds that I previously stated.

Mr. TAVENNER. Are you a member of the Communist Party now?

Mr. VARELA. Again, sir, I must respectfully decline to answer the question on the grounds I have previously stated.

Mr. WALTER. For how long did you state you have been in California?

Mr. VARELA. Approximately three and a half years.

Mr. WALTER. Did you come here for the purpose of engaging in colonization work among Mexicans or Americans of Mexican extraction?

Mr. VARELA. I must respectfully decline to answer that question on the grounds I previously stated.

Mr. TAVENNER. I have no further questions.

Mr. WALTER. The witness is excused.

(Whereupon, at 11:40 a.m., the witness was excused.)

TESTIMONY OF BEN KARR, ACCOMPANIED BY COUNSEL, ESTHER SHANDLER

Mr. WALTER. Will you raise your right hand, please?

Do you swear that the testimony which you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. KARR. I do.

Mr. TAVENNER. Will you state your name, please, sir?

Mr. KARR. Ben Karr.

Mr. TAVENNER. Will counsel identify herself for the record, please?

Miss SHANDLER. Esther Shandler, 208 West 8th Street, Los Angeles 14.

Mr. TAVENNER. When and where were you born?

Mr. KARR. May 1, 1916, New York City.

Mr. TAVENNER. Where do you now reside?

Mr. KARR. Los Angeles.

Mr. TAVENNER. How long have you lived in Los Angeles?

Mr. KARR. Since December of 1949.

Mr. TAVENNER. Will you tell the committee, please, what your educational training has been?

Mr. KARR. I have a baccalaureate in education from the City College of New York.

Mr. TAVENNER. When did you receive that degree?

Mr. KARR. In 1937.

Mr. TAVENNER. What is your occupation?

Mr. KARR. I am a presser.

Mr. TAVENNER. Is that in the needle trade work?

Mr. KARR. That's right, sir.

Mr. TAVENNER. Your degree is what?

Mr. KARR. Bachelor of business administration.

Mr. TAVENNER. You have not, then, followed the particular work for which you prepared yourself?

(The witness conferred with his counsel.)

Mr. KARR. I am not following it now; no, sir.

Mr. TAVENNER. Have you followed it?

(The witness conferred with his counsel.)

Mr. KARR. I intend to invoke my constitutional privileges in regard to this question.

(The witness conferred with his counsel.)

Mr. KARR. In that regard, I would like to say that it is my considered opinion that the work of this committee has had the objective effect of creating in this country a climate of fear, one which makes very difficult, if not impossible, that free exchange of ideas which are

so necessary or which is so necessary to the growth of ourselves as individuals and as to the maintenance of our democratic institutions.

In addition, I feel this committee has used its power for an unwarranted invasion of personal privacy and for prosecution by exposure.

For that reason, I feel that aiding or abetting the work of this committee would not be in the best interests of our country. For the above and for the additional protection of myself, I decline to answer that question on the constitutional grounds, specifically the first and fifth amendments.

Mr. TAVENNER. Are you referring to that provision of the fifth amendment against self-incrimination?

(The witness conferred with his counsel.)

Mr. KARR. I refer to that provision that no person need bear witness against himself.

Mr. TAVENNER. You came to California in 1949. Have you been engaged in the occupation of a presser during that entire period?

Mr. KARR. I went into pressing several months after I came here and I have been in that occupation ever since.

Mr. TAVENNER. Did you work in that occupation prior to coming to California?

Mr. KARR. I decline to answer that question on the same grounds.

Mr. TAVENNER. Did you disclose to your employer in 1949 the fact that you had the degree from college that you told us you have?

(The witness conferred with his counsel.)

Mr. KARR. I decline to answer that question on the same grounds.

Mr. TAVENNER. Why did you select the position of a presser with all the educational qualifications that you had?

Mr. KARR. Same answer.

Mr. TAVENNER. Were you advised in New York to get out into the trades for any Communist Party purpose?

Mr. KARR. Same answer.

Mr. TAVENNER. Do you represent the Needle Trades Section of the Communist Party in the Communist Party organization in this area?

Mr. KARR. Same answer.

Mr. TAVENNER. The committee's information is that you are one of the 62 members of the District Council of the Communist Party for the Southern District of California. Are you a member of the district council?

Mr. KARR. Same answer.

Mr. WALTER. What comprises the southern district?

Mr. TAVENNER. From the list that we have, there were 28 sections south of a certain line drawn through the state.

Mr. WALTER. Is this one of the sections that you are talking about?

Mr. TAVENNER. Yes, sir. Our testimony back in September showed that there is a district council set-up composed of 62 members elected from these various sections. I have just asked the witness whether he is on the district council.

This district council also has an executive board composed of ten persons, according to the committee's information. Will you verify that as being correct?

Mr. KARR. Same answer.

Mr. TAVENNER. The committee has considerable information regarding the monthly meetings that have been held by this district council, but according to our information you have not been in attendance at many of them.

Is that because you are working in the labor field and have been instructed to stay away from these particular meetings?

Mr. KARR. Same answer.

Mr. TAVENNER. Are you acquainted with Bernard Lusher, the head of the Labor Commission of the Communist Party for the Southern District of California?

(The witness conferred with his counsel.)

Mr. KARR. Same answer.

Mr. TAVENNER. What are the present plans of the Communist Party within the field of labor, or in this area?

Mr. KARR. Same answer.

Mr. TAVENNER. Is it not true that a new organizational set-up has been resorted to, that of uniting in one group the representatives from the field of labor from all of the different sections of the Communist Party?

Mr. KARR. Same answer.

Mr. TAVENNER. What is your particular assignment at this time in the Communist Party?

Mr. KARR. The same answer.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. KARR. The same answer.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. WALTER. The witness is excused.

(Whereupon, at 11:47 a.m., the witness was excused.)

Mr. WALTER. The committee will be in recess until 2 o'clock.

(Whereupon, at 11:50 a.m. Wednesday, February 25, the hearing in the above-entitled matter was recessed, to be reconvened at 2 p.m. of the same day.)

AFTERNOON SESSION—WEDNESDAY, FEBRUARY 25, 1959

Mr. WALTER. The committee will be in session.

TESTIMONY OF SOPHIE SIMINOSKI, ACCOMPANIED BY COUNSEL, WILLIAM B. MURRISH

Mr. WALTER. Do you swear that the testimony which you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. SIMINOSKI. I do.

Mr. TAVENNER. Will you state your name, please?

Mrs. SIMINOSKI. Sophie Siminoski.

Mr. TAVENNER. Will counsel please identify himself for the record?

Mr. MURRISH. William Murrish, member of the Los Angeles Bar.

Mr. TAVENNER. Are you "Miss" or "Mrs."?

Mrs. SIMINOSKI. "Mrs."

Mr. TAVENNER. Will you spell your maiden name?

Mrs. SIMINOSKI. S-m-o-r-i-d-o-n.

Mr. TAVENNER. Where were you born?

Mrs. SIMINOSKI. In Philadelphia, Pennsylvania.

Mr. TAVENNER. Where do you now reside?

Mrs. SIMINOSKI. 1612 Cerro Gordo Street.

Mr. TAVENNER. Is that G-o-r-d-o?

Mrs. SIMINOSKI. Yes, sir.

Mr. TAVENNER. How long have you lived in Los Angeles?

Mrs. SIMINOSKI. Approximately 17 years.

Mr. TAVENNER. Tell the committee, please, what your educational training has been.

Mrs. SIMINOSKI. High school.

Mr. TAVENNER. What is your occupation?

Mrs. SIMINOSKI. I am a housewife.

Mr. TAVENNER. What is the last occupation you followed other than a housewife?

Mrs. SIMINOSKI. A stenographer.

Mr. TAVENNER. When were you last working as a stenographer?

Mrs. SIMINOSKI. About 2 years ago.

Mr. TAVENNER. The committee has information that the new organization of the Communist Party for the Southern District of California is comprised of at least 28 sections and that these sections are divided into clubs. One of these sections, we are advised, has the name of Echo Park Section.

Have you been a functionary within the past 2 years in this section of the Communist Party, the Echo Park Section?

Mrs. SIMINOSKI. That question violates my rights and my duties under the United States Constitution, both in its entirety as a guaranty of free, democratic government, and in several of its vital amendments and provisions as hereafter stated, and I will, therefore, decline to answer that question and all like it upon each and all of the following constitutional legal grounds:

1. I decline to answer, first, upon the ground of freedom of speech, thought, and association under the first amendment, and because this committee under that amendment has no authority, power, or jurisdiction to inquire into my beliefs, speech or associations in this or any particular.

2. I decline to answer, secondly, because this committee in its entire proceedings here, and particularly respecting this stated question, is without lawful jurisdiction, power or authority under the due process clause of the fifth amendment and under the provisions in whole of the Constitution.

This is so because the authorizing statute and resolution under which it operates is unconstitutionally vague and lacking in standards, terms or provisions communicating to me or to any witness, or to a court or hearing body, any meaningful or definable contents or criteria, either as a matter of substantive or of procedural law.

Mr. TAVENNER. Don't read quite so rapidly, please.

Mrs. SIMINOSKI. To the contrary, it is standardless and establishes an instrument of arbitrary power only, and of censorship. Further, neither said authorizing statute or resolution, nor any statement, act or declaration of this committee establishes, evidences or communicates any manner or respect in which the said stated question is or can be pertinent in law and under the Constitution, and particularly under

the decision in Watkins v. U.S., to any lawful investigative object or purpose of Congress, or of this committee, or at all.

3. I decline to answer, thirdly, upon the ground that this committee has no jurisdiction in this hearing and as to the stated question because the committee, its activities, its authorizing resolution, and the specific question concerned here, all violate the Constitutional separation of Congress' legislative power from the judicial power. This is contrary to Articles I and III of the Constitution.

Mr. TAVENNER. Slow down in reading, please.

Mrs. SIMINOSKI. There is also a violation of the even more fundamental separation of Congress' legislative power from the sovereign power of the people over all the branches of government as secured by Articles I, II and III of the Constitution, the Preamble, the guaranty of republican government secured in Article IV and the provisions of the whole of the Bill of of Rights Amendments I to X.

4. Finally, inseparably from the first amendment I will decline to answer the stated question under the rights given me by the fifth amendment and the decision of the Supreme Court in Quinn v. U.S., upon the grounds that the published hearings, reports, releases and newspaper declarations of this committee and its officers and its representatives, including the circumstance that it has declared it possesses eleven rooms and more of files of accusatory dossiers upon or affecting more than a million individuals and more than 1,000 organizations, and has denounced as "subversive", "un-American," and "treasonable," all of such and all other individuals, causes, groups and ideas affecting any and every humanitarian subject or purpose known to me—

Mr. TAVENNER. Slow down, please.

Mrs. SIMINOSKI. Afford me basis in law for refusing to be a witness against myself and for protecting myself in the Supreme Court's words against "tyrannous prosecution," under said fifth amendment, and under said amendment, I do therefore decline to answer.

Mr. TAVENNER. Will you tell the committee, please, whether Elizabeth Spector is section organizer of the Echo Park Section of the Communist Party?

Mrs. SIMINOSKI. Under all the grounds previously stated I decline to answer.

* * * * * * *

Mr. TAVENNER. What are the present Communist Party directives being carried out by this section of the Communist Party, if you know?

Mrs. SIMINOSKI. On all the grounds previously mentioned, I decline to answer.

Mr. TAVENNER. Have you been a regular attendant at the meetings of this section of the Communist Party?

Mrs. SIMINOSKI. On all the grounds previously mentioned, I decline to answer.

Mr. TAVENNER. Are you a member at this time of the Echo Park Section of the Communist Party of Los Angeles?

Mrs. SIMINOSKI. On all the grounds previously mentioned, I decline to answer.

Mr. TAVENNER. What type of a campaign is being waged now within that section to maintain its membership?

Mrs. SIMINOSKI. On all the grounds previously mentioned, I decline to answer.

Mr. TAVENNER. I have no further questions.

Mr. WALTER. The witness is excused.

(Whereupon, at 2:35 p.m., the witness was excused.)

TESTIMONY OF HARRY HUNT, ACCOMPANIED BY COUNSEL, DANIEL G. MARSHALL

Mr. WALTER. Will you raise your right hand, please.

Do you swear that the testimony which you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HUNT. I do.

Mr. TAVENNER. State your name, please.

Mr. HUNT. Harry Hunt.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record.

Mr. MARSHALL. Daniel G. Marshall.

Mr. TAVENNER. When and where were you born?

(The witness conferred with his counsel.)

Mr. HUNT. I decline to answer this question upon the following grounds: Primarily, upon my rights under the first amendment to the Constitution of the United States, supplemented by the self-incriminating clause of the fifth amendment and upon the further ground that it lacks pertinency and is beyond the powers of this committee.

Mr. WALTER. I direct you to answer the question.

(The witness conferred with his counsel.)

Mr. HUNT. I decline to answer this question upon the following grounds: Primarily, upon my rights under the first amendment to the Constitution of the United States, supplemented by the self-incriminating clause of the fifth amendment and upon the further ground that it lacks pertinency and is beyond the powers of this committee.

Mr. TAVENNER. Do you honestly contend that to give this committee your address might subject you to criminal prosecution?

(The witness conferred with his counsel.)

Mr. HUNT. I decline to answer this question upon the following grounds: Primarily, upon my rights under the first amendment to the Constitution of the United States, supplemented by the self-incrimination clause of the fifth amendment and upon the further ground that it lacks pertinency and is beyond the powers of this committee.

Mr. MOULDER. You are appearing here as a witness in response to a subpena?

Mr. HUNT. Yes, sir.

Mr. MOULDER. After being directed by the chairman of our committee to answer the question which was propounded to you by counsel, do you realize that you might be making yourself subject to being in contempt of Congress and subject to prosecution?

(The witness conferred with his counsel.)

Mr. HUNT. I decline to answer this question upon the following grounds: Primarily, upon my rights under the first amendment to

the Constitution of the United States, supplemented by the self-incrimination clause of the fifth amendment and upon the further ground that it lacks pertinency and is beyond the powers of the committee.

Mr. MARSHALL. May I address the Chair?

In the event that other questions are asked of this witness as to which he desires to exercise his privilege, will it be stipulated that whenever he states that he declines to answer, that it will be deemed that his grounds are the grounds he has stated with respect to the questions heretofore asked of him?

Mr. WALTER. Yes, that will be understood—that when the witness declines to answer it will be on the grounds heretofore stated.

Mr. TAVENNER. You stated you are here pursuant to a subpena served upon you. Will you examine the paper that is being handed to you and state whether or not that appears to be a copy of the subpena served on you?

(The witness conferred with his counsel.)

Mr. HUNT. Yes, sir.

Mr. TAVENNER. Will you examine the reverse side of it and see whether or not there is a return by the sheriff's office, showing that there was service on you? The name appears at the bottom.

Mr. MARSHALL. The witness probably does not comprehend that. The endorsement shows the service of this subpena on Harry Hunt and it purports to bear the signature of a person whom I take to be a deputy sheriff.

Mr. TAVENNER. Do you see on the back of the subpena the statement just read by your counsel?

Mr. HUNT. Yes, sir.

Mr. TAVENNER. Does not the return show that service was made on you at 824 West 74th Street, Los Angeles?

Mr. HUNT. I decline to answer.

Mr. TAVENNER. That is your correct address, is it not?

(The witness conferred with his counsel.)

Mr. HUNT. I decline to answer.

Mr. TAVENNER. Are you a subscriber to the Daily People's World?

Mr. HUNT. I decline to answer.

Mr. TAVENNER. I call to your attention that you are listed as a subscriber and that your address is listed as 824 West 74th Street. Does that change your answer?

Mr. HUNT. I decline to answer, sir.

Mr. TAVENNER. Will you tell the committee, please, what your educational training has been?

Mr. HUNT. I decline to answer.

Mr. TAVENNER. What is your present occupation?

Mr. HUNT. I decline to answer, sir.

Mr. TAVENNER. Are you now a resident of Los Angeles?

Mr. HUNT. I decline to answer, sir.

Mr. TAVENNER. Mr. Hunt, do you expect us to believe that you are acting in good faith in refusing to answer those questions on the ground of possible self-incrimination?

Mr. HUNT. I decline to answer, sir.

Mr. TAVENNER. We have shown in evidence, Mr. Hunt, through an earlier hearing that upon the reorganization of the Communist Party

for the Southern District of California in 1957 that various meetings have been held of the district council of that organization. One of those meetings was held on July 27, 1958.

It is the committee's information that you were present at that meeting and took part in the meeting. Did you take part in that meeting?

(The witness conferred with his counsel.)

Mr. HUNT. I decline to answer, sir.

Mr. TAVENNER. Do you recall that at that meeting considerable distrust was spread of the chairman of the Communist Party for the Southern District of California, and that in fact, Max Steinberg offered a resolution to remove her from office?

Were you present when that motion was made?

(The witness conferred with his counsel.)

Mr. HUNT. I decline to answer, sir.

Mr. TAVENNER. Did you not arise and address the gathering and state in substance that the suggestion of removing Dorothy Healey was no good, in other words, that you opposed the suggestion of her removal?

Mr. HUNT. I decline to answer, sir.

Mr. TAVENNER. Did you not take the position that her removal would not solve the problems with which the Communist Party in this area was faced?

Mr. HUNT. I decline to answer, sir.

Mr. TAVENNER. In other words, you are on Dorothy Healey's side?

Mr. HUNT. I decline to answer, sir.

Mr. TAVENNER. Did you not at that time state that the main problem of the party was that the party had been isolated from the masses?

Mr. HUNT. I decline to answer, sir.

Mr. TAVENNER. What plans were made by the Communist Party to try to solve this problem of isolation from the masses?

Mr. HUNT. I decline to answer, sir.

Mr. TAVENNER. According to the committee's information, the monthly meeting of the district council of the Communist Party for the month of September was held on September 21, 1958, and you were also present at this meeting and participated in it.

Did you participate as a speaker in that meeting?

(The witness conferred with his counsel.)

Mr. HUNT. I decline to answer.

Mr. TAVENNER. According to the committee's information you also participated in the monthly meeting of the district council held on November 23, 1958. Did you so participate?

Mr. HUNT. I decline to answer, sir.

Mr. TAVENNER. The committee is informed of the activities at a monthly meeting of that organization held as late as January 25, 1959. Did you participate at that meeting?

(The witness conferred with his counsel.)

Mr. HUNT. I decline to answer.

Mr. TAVENNER. Was not that meeting of the district council greatly divided in its views regarding a report made by Charlene Mitchell regarding action taken on the Negro question at the national executive committee meeting in New York?

(The witness conferred with his counsel.)

Mr. HUNT. I decline to answer, sir.

Mr. TAVENNER. Did you not arise and state at this meeting that the bringing up of this question at this time had caused a serious split in the Communist Party?

Mr. HUNT. I decline to answer, sir.

Mr. TAVENNER. Did you not express at this meeting that the relationship of the Communist Party to the Negro people had not been good?

Mr. HUNT. I decline to answer, sir.

Mr. TAVENNER. Had the relationship of the Communist Party to the Negro people been good?

Mr. HUNT. I decline to answer, sir.

Mr. TAVENNER. Will you tell the committee, please, what plan the Communist Party has in this area to solve this problem in this dispute which has been raised within the party?

Mr. HUNT. I decline to answer, sir.

Mr. TAVENNER. Were you present at the time that Charlene Mitchell complained that the white members of the Communist Party were discriminating against her by not paying contributions to her but on the other hand, paying them to her cotreasurer, a white person?

(The witness conferred with his counsel.)

Mr. HUNT. I decline to answer, sir.

Mr. TAVENNER. With all the talk that goes on by the Communist Party about its interest in the Negro people, as a matter of fact, there is discrimination against the Negro people within the Communist Party, is there not?

Mr. HUNT. I decline to answer, sir.

Mr. WALTER. Did you not hear the charge coming from this colored girl that there was discrimination against Negro people?

Mr. HUNT. I decline to answer, sir.

Mr. TAVENNER. You are a member of the 62-member District Council of the Communist Party for the Southern District of California, are you not?

Mr. HUNT. I decline to answer, sir.

Mr. TAVENNER. You hold that position today, do you not?

Mr. HUNT. I decline to answer, sir.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. WALTER. Are there any questions?

Mr. MOULDER. Did you state your occupation?

Mr. HUNT. I decline to answer, sir.

Mr. WALTER. The witness is excused.

(Whereupon, at 2:55 p.m., the witness was excused.)

TESTIMONY OF ARTHUR BROWN, ACCOMPANIED BY COUNSEL, MORTIMER VOGEL

Mr. WALTER. Will you stand and raise your right hand, please.

Do you swear that the testimony you are about to give will be the truth, the whole truth and nothing but the truth, so help you God?

Mr. BROWN. I do.

Mr. TAVENNER. What is your name, please?

Mr. BROWN. Arthur Brown.

Mr. TAVENNER. Will counsel identify himself for the record, please?

Mr. VOGEL. Mortimer Vogel of Los Angeles.

Mr. TAVENNER. I hand you what purports to be the subpena served upon you and will you examine it and state whether or not it appears to you to be a copy of the subpena requiring your presence here today?

Mr. BROWN. Yes.

Mr. TAVENNER. You will note it is made out in the name of Art Brown. You are commonly known by that name of Art Brown, are you not?

Mr. BROWN. Yes, sir.

Mr. TAVENNER. Where do you live, Mr. Brown?

Mr. BROWN. 9946 Woodale Avenue, Pacoima, California.

Mr. TAVENNER. When and where were you born?

Mr. BROWN. New York City, November 4, 1915.

Mr. TAVENNER. How long have you lived in California?

Mr. BROWN. A little less than 2 years.

Mr. TAVENNER. Where did you live immediately before coming to California?

Mr. BROWN. New Jersey.

Mr. TAVENNER. Where did you live in New Jersey?

Mr. BROWN. Sir, I must decline to answer that question on the basis of the first and fifth amendment to the Constitution.

Mr. WALTER. Do you honestly feel that if you told where you lived in New Jersey you might be subject to criminal prosecution?

(The witness conferred with his counsel.)

Mr. BROWN. I must refuse to answer that question.

Mr. WALTER. I direct you to answer the question.

(The witness conferred with his counsel.)

Mr. BROWN. I must refuse to answer the question on the basis of the first and fifth amendment and the pertinency of the committee to this question.

Mr. TAVENNER. By stating that you rely on the fifth amendment are you referring to that part of the fifth amendment relating to self-incrimination?

(The witness conferred with his counsel.)

Mr. BROWN. I believe the counsel is fully aware of the importance and meaning of the fifth amendment and I have based my refusal to answer on the fifth amendment.

Mr. TAVENNER. There are various parts of the fifth amendment, some of which mean one thing and some another, so if you refuse to state which part you rely upon, I will again ask the chairman to direct you to answer the question.

Mr. WALTER. Yes; you are directed to answer the question.

(The witness conferred with his counsel.)

Mr. BROWN. I base my refusal to answer on the basis of the fifth amendment and all the parts of the fifth amendment.

Mr. TAVENNER. Do you honestly believe that to answer that question might tend to incriminate you?

Mr. BROWN. The same answer, sir.

Mr. TAVENNER. Will you tell the committee, please, how long you lived in New Jersey?

(The witness conferred with his counsel.)

Mr. BROWN. I lived all my life in New Jersey, sir, except for a short period as a baby and up until the time I came to California.

Mr. TAVENNER. Can you tell us if you served in the Armed Forces of the United States?

Mr. BROWN. Yes, sir.

Mr. TAVENNER. Over what period of time?

Mr. BROWN. I was in the Armed Forces for just shy of five years.

Mr. TAVENNER. From what date to what date?

Mr. BROWN. From June, I believe, the 11th—what year was it before Pearl Harbor?

Mr. TAVENNER. 1940 was before Pearl Harbor.

Mr. BROWN. Pearl Harbor was in December. I was drafted June before Pearl Harbor and served until the end of the war and was separated from service as a first lieutenant in February 1946.

Mr. TAVENNER. In what branch of the service did you serve?

Mr. BROWN. I was in the Adjutant General's division.

Mr. TAVENNER. Will you tell the committee, please, what your formal educational training has been?

Mr. BROWN. I graduated from high school in New Jersey, in Cranford, New Jersey, and I attended Union Junior College for two years. I attended three years at night and I had two years college credit.

Mr. TAVENNER. What is your present occupation?

(The witness conferred with his counsel.)

Mr. BROWN. I must refuse to answer on the grounds previously stated.

Mr. TAVENNER. What was your occupation while living in New Jersey, say, from the time you got out of the Army up until the time you came to California?

Mr. BROWN. The same answer, sir.

Mr. TAVENNER. Did you have any regular employment at all for which you received compensation while in New Jersey between the time of your discharge from the Army and the time of your coming here?

Mr. BROWN. The same answer.

Mr. TAVENNER. Did you leave the State of New Jersey and come to California for any reason related to activities of the Communist Party?

Mr. BROWN. The same answer.

Mr. TAVENNER. You were an organizer for the Communist Party at Middlesex, New Jersey, between 1946 and 1947, were you not?

Mr. BROWN. The same answer, sir.

Mr. TAVENNER. The committee's information is that you were a delegate to the national convention in New York City but that you did not attend. Were you elected as a delegate?

Mr. BROWN. Same answer.

Mr. TAVENNER. Did you attend?

Mr. BROWN. Same answer.

Mr. TAVENNER. Were you in attendance at a New Jersey State leadership meeting during the year 1954?

Mr. BROWN. Sir, I must give the same answer.

Mr. TAVENNER. Were you not transferred in 1956 from Union County, N.J., to Essex County, N.J., for work in the Communist Party?

Mr. BROWN. The same answer, sir.

Mr. TAVENNER. Were you not active in the raising of funds for the Communist Party in New Jersey as late as 1956?

Mr. BROWN. Same answer.

Mr. TAVENNER. On your arrival in California, did you immediately affiliate with a local group of the Communist Party?

(The witness conferred with his counsel.)

Mr. BROWN. Same answer.

Mr. TAVENNER. We are informed that there is a section of the Communist Party known as the "Valley" group. Have you heard of it?

Mr. BROWN. Same answer.

Mr. TAVENNER. Are you a member of it now?

Mr. BROWN. Same answer.

Mr. TAVENNER. I do not want to leave the inference that I think you are a member of it now, but I will ask you whether you were a member of it prior to March 26, 1958.

Mr. BROWN. I must give the same answer, sir.

Mr. WALTER. Before the question is asked, do not tell him, counsel, "same answer." Wait until the question is asked before you prompt the witness.

Mr. VOGEL. It is fairly obvious what the question is going to be.

Mr. WALTER. Let us be fair about it and let the question be asked before you do the very improper thing of prompting a witness.

Go ahead, Mr. Tavenner.

Mr. TAVENNER. While in New Jersey, were you not a member of the State Youth Commission of the Communist Party for that State?

Mr. BROWN. Same answer.

Mr. TAVENNER. Were you not also a member of the State Veterans Commission of the Communist Party in New Jersey?

Mr. BROWN. Same answer.

Mr. TAVENNER. Did you not arise to the position of a member on the State committee of the Communist Party in the State of New Jersey?

Mr. BROWN. Same answer.

Mr. TAVENNER. In New Jersey, were you not very active in the work of the Civil Rights Congress; in fact, you were its executive secretary?

Mr. BROWN. Same answer.

Mr. MOULDER. Are you responding to all of the questions propounded to you by counsel for the committee on advice of your own counsel to refuse to answer all questions claiming the privileges under the first and fifth amendments, or in good faith?

I am asking the witness, not his counsel. I am asking you if all of your responses to questions are being answered by you solely by what counsel tells you to do, or are you in good faith claiming the privileges under the Constitution?

(The witness conferred with his counsel.)

Mr. BROWN. I am claiming the privilege of the first and fifth amendment on my own. At the same time I am seeking the advice of my counsel.

Mr. WALTER. You have not asked counsel one single question. He has, before the question has been completely asked, told you what to say.

Mr. VOGEL. Is it not obvious what is going to be asked?

Mr. WALTER. Let us do this right. If there is anything left of ethics, let us pay a little more attention to what ought to be.

Mr. VOGEL. It is obvious what the question is going to be and it should be obvious what the answer might be.

Mr. WALTER. Go ahead, Mr. Tavenner.

Mr. TAVENNER. I referred a few moments ago to the date of March 26, 1958. We introduced in evidence at an earlier hearing, a letter under date of March 26, 1958 referred to as "Healey Exhibit No. 24," which purports to set forth reasons why those who signed it were resigning from the Communist Party.

We find one of the signatories is "Art." Does the word "Art," refer to you as Art Brown?

(The witness conferred with his counsel.)

Mr. BROWN. Sir, the same answer.

Mr. TAVENNER. Did you sign this letter of resignation?

Mr. BROWN. Same answer.

Mr. TAVENNER. You resigned from the Communist Party on March 26, 1958?

Mr. BROWN. Same answer.

Mr. TAVENNER. Mr. Brown, I want to call your attention to one rather significant thing in this letter.

Mr. WALTER. Before you do that, Mr. Tavenner, is the witness a member or is it evidenced that he was a member of the executive board?

Mr. TAVENNER. Not of the executive board but of the district council. There were 62 persons on the district council and ten of them were on the executive board of that council. It is not our information that he was a member of the executive board, but it is that he was a member of the district council and attended the meetings.

I will read from the letter of resignation:

> We have no blueprint to offer for the future. We do not believe that conditions are yet ripe for the emergence of a definitive program and organization. But we do feel that more limited steps can be taken which will help prepare the soil for something new * * *.

What new thing was it that this group desired to promote or to advocate?

Mr. BROWN. Sir, I must refuse to answer that question on the basis of the first and fifth amendments.

Mr. TAVENNER. Did you participate in the preparation of that letter?

Mr. BROWN. Same answer.

Mr. MOULDER. Do you believe that the Communist Party in the United States is part of the international scheme or conspiracy of the Communist Party of the Soviet Union?

Mr. BROWN. I must refuse to answer that on the basis of the first and fifth amendments.

Mr. TAVENNER. Do you know who prepared that letter?

Mr. BROWN. Same answer.

Mr. TAVENNER. Do you have a middle initial?

(The witness conferred with his counsel.)

Mr. BROWN. No, sir.

Mr. TAVENNER. You have no middle name or initial?

Mr. BROWN. No, sir.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. JOHANSEN. At the time you entered the Armed Forces did you take an oath or sign an affidavit under oath to the effect that you did not belong to any organization advocating the overthrow of the Government by force and violence?

(The witness conferred with his counsel.)

Mr. BROWN. It is a good many years ago and I don't remember what I signed.

Mr. WALTER. The witness is excused. Call your next witness, Mr. Tavenner.

(Whereupon, at 3:13 p.m., the witness was excused.)

TESTIMONY OF ROBERT KLONSKY, ACCOMPANIED BY COUNSEL, AL WIRIN

Mr. WALTER. Will you stand up, please, and raise your right hand? Do you swear the testimony you are about to give will be the truth, the whole truth and nothing but the truth, so help you God?

Mr. KLONSKY. I do.

Mr. TAVENNER. Will you state your name, please, sir?

Mr. KLONSKY. My name is Robert Klonsky.

Mr. TAVENNER. Will you spell your last name?

Mr. KLONSKY. K-l-o-n-s-k-y.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

Mr. WIRIN. My name is Al Wirin. I am an attorney in Los Angeles and a member of the State Bar of California.

Mr. TAVENNER. Where do you reside, Mr. Klonsky?

Mr. KLONSKY. I will avail myself of the constitutional privileges and refuse to answer to that under the privileges of the first and fifth amendments.

Mr. TAVENNER. Do you appear here pursuant to a subpena served upon you by the United States marshal on February 11, 1959?

Mr. KLONSKY. That is right, sir.

Mr. TAVENNER. The return on the marshal's subpena shows that service was made on you at 2105 South Crescent Heights Boulevard, Los Angeles, Calif., Apartment #3. Is that your address?

Mr. KLONSKY. I will take the fifth amendment on that, sir.

Mr. TAVENNER. Do you believe that an honest answer to that question might tend to incriminate you?

Mr. KLONSKY. The question I do not believe to be a proper and correct statement of the law and, therefore, I will still utilize the fifth amendment in refusing to answer that.

Mr. WALTER. I will direct you to answer the question as to your residence. It is purely a preliminary question for the purpose of identification and I direct you to answer the question.

(The witness conferred with his counsel.)

Mr. KLONSKY. I will continue to refuse to answer that question on the ground that the question is not pertinent.

Mr. TAVENNER. When and where were you born?

Mr. KLONSKY. The same, the fifth amendment.

Mr. TAVENNER. How are you employed?

Mr. KLONSKY. I will refuse to answer that under the same conditions.

Mr. TAVENNER. Did you serve in the Armed Forces of the United States?

(The witness conferred with his counsel.)

Mr. KLONSKY. I will refuse to answer that under the same conditions.

Mr. TAVENNER. Do you mean to state in good faith that an honest answer to that question might tend to incriminate you?

(The witness conferred with his counsel.)

Mr. KLONSKY. The answers to any such questions as you have just asked may lead to prosecution in one form or another and, therefore, I will refuse to answer that one under the same conditions.

Mr. TAVENNER. You were one of the Smith Act defendants in the Philadelphia case, were you not?

Mr. KLONSKY. I will take the same constitutional privilege.

Mr. TAVENNER. Were you personally acquainted with Matthew Cvetic?

Mr. KLONSKY. I will take the same constitutional provision.

Mr. TAVENNER. When Matthew Cvetic testified before this committee he identified a number of members of the Communist Party, in what is generally referred to as Cvetic Exhibit No. 91. You were identified as the secretary of the Eastern Pennsylvania area of the Communist Party. Is that identification correct?

Mr. KLONSKY. My answer is the same, the fifth amendment.

Mr. TAVENNER. According to the testimony of Mr. Cvetic, Mr. Bart was the chairman of the organization of which you were the secretary. Is that correct?

Mr. KLONSKY. My answer remains the same.

Mr. TAVENNER. Mr. Thomas F. Delaney testified before this committee in Philadelphia on October 13, 1952, that he had been a former member of the Communist Party, and he testified that you were a functionary on the district level of the Eastern Pennsylvania District of the Communist Party. Was that a truthful statement?

Mr. KLONSKY. The answer remains the same.

Mr. TAVENNER. The committee's investigation indicates that the June 21, 1949, issue of the Daily Worker reports you to have been at that time the organizational secretary of the Communist Party of Eastern Pennsylvania. Is that correct?

Mr. KLONSKY. The answer remains the same, sir.

Mr. TAVENNER. The Daily Worker issue of April 25, 1951 shows as late as that date that you were secretary of the Communist Party of Eastern Pennsylvania and Delaware. Is that correct?

Mr. KLONSKY. Same answer, sir.

Mr. TAVENNER. Were you a member of the Abraham Lincoln Brigade?

Mr. KLONSKY. Same answer.

Mr. TAVENNER. Were you at one time the circulation manager of the Daily Worker?

Mr. KLONSKY. Same answer, sir.

Mr. TAVENNER. Did you also serve as Communist Party organizer in the Bronx in the late 30's?

Mr. KLONSKY. The answer is the same, sir.

Mr. TAVENNER. As late as 1956, were you the editor of the Pennsylvania edition of the Daily Worker?

Mr. KLONSKY. Same answer.

Mr. TAVENNER. According to the committee's information you were in the Armed Forces of the United States and served in Korea, is that correct?

Mr. KLONSKY. Same answer.

Mr. TAVENNER. I am referring to World War II and not the Korean war.

Mr. KLONSKY. The answer remains the same, regardless.

Mr. TAVENNER. You were with the 713th Tank Battalion of the 24th Corps, were you not?

Mr. KLONSKY. The answer is the same, sir.

Mr. MOULDER. Do you receive any financial compensation or assistance from any foreign country?

Mr. KLONSKY. I will take the same privilege on that one.

Mr. TAVENNER. You did receive a commendation from the Communist Party of Korea written to the Communist Party of the United States complimenting you, did you not?

Mr. KLONSKY. I will take the same privilege, sir.

Mr. TAVENNER. While you were in the armed services, did you ever confer with Steve Nelson?

Mr. KLONSKY. I will take the same privilege, sir.

Mr. TAVENNER. While you were in the Armed Forces, did you ever furnish information to Steve Nelson regarding Army manuals or other information regarding U.S. tanks and guns?

Mr. KLONSKY. My answer remains the same, sir.

Mr. TAVENNER. While you were serving in the Armed Forces of the United States, did you know that Steve Nelson was an espionage agent of the Soviet Union?

Mr. KLONSKY. My answer remains the same, sir.

Mr. TAVENNER. This committee has from time to time received considerable evidence relating to Alice Hyun, Peter Hyun, and Diamond Kim.

Did you at any time ever confer, either in person or by any form of communication, with any one of these three persons?

Mr. KLONSKY. My answer remains the same.

Mr. TAVENNER. Did you not meet each of those persons in Korea?

Mr. KLONSKY. My answer remains the same, sir.

Mr. TAVENNER. Did you attend Communist Party meetings with any one of the three in Korea?

Mr. KLONSKY. Same answer.

Mr. TAVENNER. The committee's investigation does not indicate that you have at any time been a member of the District Council of the Communist Party for the Southern District of California, but its information is that you attended the meetings. Is that correct?

Mr. KLONSKY. Same answer, sir.

Mr. TAVENNER. Are you a member of the Communist Party now?

Mr. KLONSKY. I will give you the same answer now.

Mr. TAVENNER. Our information is that you are not a member at this moment. Is that correct?

Mr. KLONSKY. Same answer, sir.

Mr. TAVENNER. What was the date of your last organizational effort with the Communist Party of this area?

Mr. KLONSKY. Again, under the first amendment, I will refuse to answer that.

Mr. TAVENNER. May I ask for a direction on that?

Mr. WALTER. I direct you to answer that.

Mr. KLONSKY. I will utilize the fifth amendment in refusing to answer that.

Mr. TAVENNER. I have no further questions.

Mr. WALTER. The witness is excused.

(Whereupon, at 3:30 p.m., the hearing was recessed, to reconvene on the same day.)

TESTIMONY OF PHILIP RAFALOW, ACCOMPANIED BY COUNSEL, LEO FENSTER

Mr. WALTER. Will you raise your right hand, please?

Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. RAFALOW. I do.

Mr. TAVENNER. What is your name, please?

Mr. RAFALOW. Philip Rafalow.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

Mr. FENSTER. Leo Fenster, 11363 Santa Monica Boulevard.

Mr. TAVENNER. When and where were you born, Mr. Rafalow?

Mr. RAFALOW. 1925, May 17, New York City.

Mr. TAVENNER. Where do you now reside?

Mr. RAFALOW. 3670 Colonial Avenue, Los Angeles.

Mr. TAVENNER. How long have you lived in Los Angeles?

Mr. RAFALOW. Approximately 10 years.

Mr. TAVENNER. Will you tell the committee, please, what your formal educational training has been?

Mr. FENSTER. You are talking about high school and college, for example?

Mr. TAVENNER. Yes, sir.

Mr. RAFALOW. Grade school and in part high school.

Mr. TAVENNER. Have you had any educational training in other recognized schools?

(The witness conferred with his counsel.)

Mr. RAFALOW. No.

Mr. TAVENNER. Have you attended any training classes?

Mr. RAFALOW. I refuse to answer on the basis of self-incrimination under the provision of the fifth amendment.

Mr. TAVENNER. What is your occupation?

Mr. RAFALOW. Plumber.

Mr. TAVENNER. How long have you been engaged in that occupation?

Mr. RAFALOW. Approximately 16 years.

Mr. TAVENNER. You are a plumbing contractor, are you not?

(The witness conferred with his counsel.)

Mr. RAFALOW. Yes.

Mr. TAVENNER. Have you had any military service in the Armed Forces of the United States?

Mr. RAFALOW. Yes.

Mr. TAVENNER. During what period of time?

Mr. RAFALOW. During World War II.

Mr. TAVENNER. It is the committee's information that you are not now a member of the Communist Party. Is that correct?

Mr. RAFALOW. I refuse to answer on the grounds of self-incrimination under the provisions of the fifth amendment.

Mr. WALTER. You have been told that we have information that you are not a member of the Communist Party. Do you honestly feel if you answered that you might be confronted with prosecution?

Mr. FENSTER. You are asking the witness to adjudicate what membership is and when he ceased and I do not think it is fair to ask him that. That is the venue of this committee.

Mr. TAVENNER. Then your answer must be based on some uncertainty as to whether you are still a member of the Communist Party or not. Is that the reason that to give an honest answer to that question might tend to incriminate you?

Mr. RAFALOW. I refuse to answer on the ground of the fifth amendment dealing with self incrimination.

Mr. TAVENNER. I notice by the subpena served on you that you were served as Phil Rafalow. Is your middle initial "R", or do you have a middle initial?

Mr. RAFALOW. I do not.

Mr. TAVENNER. Healey Exhibit No. 24 has been introduced in evidence, which consists of a letter bearing the date March 26, 1958, and signed by a number of individuals expressing their desire to resign. The fact of their resignation from the Communist Party as of that date.

The name of Phil R. appears as one of the signatories to that letter. Did you sign it?

Mr. RAFALOW. I refuse to answer on the basis of the fifth amendment with respect to self incrimination?

Mr. TAVENNER. In other words, although going through the form of a resignation, there is some form of attachment still remaining to the Communist Party, is there not?

Mr. RAFALOW. I refuse to answer, based on the fifth amendment and self incrimination.

Mr. TAVENNER. Were you a member of the Southern California District Council of the Communist Party before March 26, 1958?

Mr. RAFALOW. I refuse to answer on the basis of the fifth amendment on self incrimination.

Mr. TAVENNER. Were you not a representative on that board from the Western Division of the Communist Party, which is sometimes referred to as the Santa Monica-Bay Cities?

Mr. RAFALOW. I refuse to answer on the basis of the fifth amendment.

Mr. TAVENNER. Were you a delegate to the California State convention on January 29 and 30, 1958?

Mr. RAFALOW. I refuse to answer on the basis of the fifth amendment on self incrimination.

Mr. TAVENNER. Were you not also a delegate to the organizational meeting of the Southern District of the Communist Party for the State of California?

Mr. RAFALOW. I decline to answer on the fifth amendment of self incrimination.

Mr. TAVENNER. Have you served in any capacity in the raising of funds for the Smith Act defendants?

Mr. RAFALOW. I decline to answer under the fifth amendment of self incrimination.

Mr. TAVENNER. Were you active in behalf of the Communist Party in the Independent Progressive Party of California?

Mr. RAFALOW. I decline to answer under the fifth amendment of self incrimination.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. WALTER. The witness is excused.

TESTIMONY OF SOLOMON MONROY, ACCOMPANIED BY COUNSEL, WILLIAM M. SAMUELS

Mr. WALTER. Will you raise your right hand, please?

Do you swear that the testimony you are about to give before this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MONROY. I do.

Mr. TAVENNER. What is your name, please, sir?

Mr. MONROY. Solomon Monroy.

Mr. TAVENNER. Spell your last name, please.

Mr. MONROY. M-o-n-r-o-y.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

Mr. SAMUELS. William M. Samuels.

Mr. TAVENNER. When and where were you born?

Mr. MONROY. Los Angeles, December 31, 1925.

Mr. TAVENNER. Where do you now reside?

Mr. MONROY. Los Angeles.

Mr. TAVENNER. What is your occupation?

Mr. MONROY. Salesman.

Mr. TAVENNER. What is your educational background?

(The witness conferred with his counsel.)

Mr. MONROY. Grammar school, high school, and some City College, approximately a year.

Mr. TAVENNER. City College of what city?

Mr. MONROY. Of Los Angeles.

Mr. TAVENNER. Mr. Monroy, it is the committee's information that you are a member of the District Council of the Communist Party for the Southern District of California and that as such a member you were in a convention of those members held on the 21st day of September 1958. I want to ask you several questions about things that occurred at that meeting.

At that meeting Dorothy Healey, the chairman for this district, discussed at length the experience that she had had and the experience that other members of the Communist Party had had at the hearings that were conducted by this committee in the earlier part of September 1958.

In the course of her discussion, she made reference to the American Civil Liberties Union. According to the committee's information she

referred to the great advantage or the great aid that was given to the Communist Party by the American Civil Liberties Union taking out an ad which was carried in many papers. Do you recall that?

(The witness conferred with his counsel.)

Mr. MONROY. I refuse to answer this question because I feel that this committee does not have the power to inquire.

Mr. TAVENNER. May I have a direction?

Mr. WALTER. You are directed to answer that question.

Mr. MONROY. I refuse to answer this question, basing my refusal on the first and fifth amendment of the United States Constitution.

Mr. TAVENNER. Do you recall that Dorothy Healey made an explanation to you and others present at that meeting as to why the subpenaed witnesses were called before a meeting sponsored by the Citizens Committee to Preserve American Freedoms instead of by a meeting called by the Communist Party? Do you remember that?

(The witness conferred with his counsel.)

Mr. MONROY. I again refuse to answer this question.

Mr. TAVENNER. May I have a direction?

Mr. WALTER. You are directed to answer the question.

Mr. MONROY. Basing it on the first and supplementing it by the fifth amendment of the United States Constitution.

Mr. TAVENNER. Did Dorothy Healey announce in your presence that there would be a meeting under the auspices of the Citizens Committee to Preserve American Freedoms at 118 North Larchmont, October 1, 1958, featuring two speakers, Horace Alexander and Frank Wilkinson, to discuss the abolishment of the Committee on Un-American Activities?

(The witness conferred with his counsel.)

Mr. MONROY. Sir, I would like to know what is the pertinency of these questions that you are asking me in relationship to the nature of this committee's investigation.

Mr. TAVENNER. I would be very glad to tell you. The Citizens Committee to Preserve American Freedoms, after considerable advertising, called a meeting at which the subpenaed witnesses were corraled and speeches were made in their presence and they were asked to stand up. I want to ask you if it is not a fact that that was done for the purpose of encouraging and inducing those subpenaed witnesses to stand together and defy this committee?

(The witness conferred with his counsel.)

Mr. MONROY. You have asked me two questions.

Mr. TAVENNER. Answer the last one.

Mr. MONROY. I can't see how this is pertinent to the investigation that the committee is conducting.

Mr. WALTER. You are directed to answer the question.

Mr. MONROY. I refuse to answer this question as previously stated, under the guarantees of the first amendment supplemented by the fifth amendment of the United States Constitution.

Mr. TAVENNER. Was an announcement made by Dorothy Healey that such a meeting would be held under the auspices of the Citizens Committee to Preserve American Freedoms?

(The witness conferred with his counsel.)

Mr. MONROY. Sir, I cannot see where this is pertinent and I again refuse to answer this question.

Mr. TAVENNER. May I have a direction?

Mr. WALTER. You are directed to answer the question.

Mr. MONROY. I refuse to answer this question basing, as formerly stated, as I had previously stated.

Mr. TAVENNER. Was Horace Alexander a member of the District Council of the Communist Party for the Southern District of California at that time?

Mr. MONROY. I still cannot see where this is pertinent to the investigation, sir, and I again refuse to answer this question.

Mr. TAVENNER. May I have a direction?

Mr. WALTER. You are directed to answer the question.

Mr. MONROY. I again refuse to answer this question basing it on the previously stated first amendment supplemented by the fifth amendment.

Mr. TAVENNER. Was Frank Wilkinson known to you to be a member of the Communist Party?

Mr. MONROY. I still cannot see where this is pertinent to the investigation, sir, and I again refuse to answer this question.

Mr. TAVENNER. May I have a direction?

Mr. WALTER. You are directed to answer this question.

Mr. MONROY. I refuse to answer this question on the basis of the first and fifth amendment, as I do not see where this is pertinent to this investigation.

Mr. TAVENNER. Did you at this meeting hear discussed a question as to when the next convention of the Communist Party from this area would be held?

Mr. MONROY. I cannot see where this is pertinent to this investigation and I again refuse to answer this question.

Mr. WALTER. You are directed to answer that question.

Mr. MONROY. I refuse to answer this question on the previously stated grounds.

Mr. WALTER. Is this man a member of the council?

Mr. TAVENNER. Yes, sir; according to the committee's information.

Did you at this meeting make a motion as a representative from Zapata Section of the Communist Party that there be a guarantee that the Mexican work would be on the convention agenda?

(The witness conferred with his counsel.)

Mr. MONROY. Sir, I again refuse to answer the question.

Mr. TAVENNER. May I have a direction?

Mr. WALTER. You are directed to answer the question.

Mr. MONROY. Again I refuse to answer this question based on my previous statement.

Mr. TAVENNER. Mr. Monroy, what Mexican work was it that the Communist Party had planned to engage in?

(The witness conferred with his counsel.)

Mr. MONROY. I refuse to answer this question, sir.

Mr. TAVENNER. May I have a direction?

Mr. WALTER. On what grounds do you refuse to answer the question?

(The witness consulted with his counsel.)

Mr. MONROY. Sir, I do not feel that this committee has the power to inquire and also I feel it is not pertinent to the investigation that the committee is conducting.

Mr. WALTER. I direct you to answer the question.

Mr. MONROY. Sir, I must then refuse to answer under the guarantees of the first amendment supplemented by the fifth amendment of the United States Constitution.

Mr. WALTER. Do you honestly feel that if you answered a question as to activities in connection with Mexican work you might be prosecuted criminally?

(The witness conferred with his counsel.)

Mr. MONROY. Sir, I again must refuse to answer this question which was put to me on the same grounds as I have previously stated.

Mr. WALTER. You are not under any compulsion. You say "I must."

Mr. TAVENNER. Mr. Monroy, the committee has information that you also attended as a delegate the meeting of the District Council of the Communist Party of the Southern District of California held on November 23, 1958. At that meeting did Dorothy Forest make a report to you and the others present regarding the plans to abolish the Un-American Activities Committee?

(The witness conferred with his counsel.)

Mr. MONROY. I refuse to answer this question, sir.

Mr. TAVENNER. On the grounds of the fifth amendment?

Mr. MONROY. The first supplemented by the fifth.

Mr. TAVENNER. Did not Dorothy Forest announce in your presence that the main way to express opposition to this committee was through petitions which are now being circulated by the American Civil Liberties Union?

(The witness conferred with his counsel.)

Mr. MONROY. Sir, I would like to know what is the pertinency of the questions you are putting to me with respect to the investigation the committee is conducting? Particularly the last question.

Mr. WALTER. You are directed to answer the question.

Mr. MONROY. I refuse to answer this question on the grounds previously stated.

Mr. TAVENNER. Did not Dorothy Forest also state in your presence that this was the first time in the history of the American Civil Liberties Union that there has been a petition of this character circulated by them?

Mr. MONROY. I would again like to ask, sir, what is the pertinency of this question you are putting to me to the investigation that the committee is conducting.

Mr. TAVENNER. May I have a direction?

Mr. WALTER. You are directed to answer the question.

Mr. MONROY. I refuse to answer the question on the grounds previously stated, and also the lack of pertinency.

Mr. TAVENNER. Is it not a fact that Dorothy Forest stated in your presence and to those assembled that the Communist Party has been officially delegated to circulate this petition for signatures?

Mr. WALTER. Officially delegated by whom?

Mr. TAVENNER. It does not say.

(The witness conferred with his counsel.)

Mr. TAVENNER. Please answer the question.

Mr. MONROY. I cannot see the pertinency of this question to the investigation that this committee is conducting.

Mr. WALTER. You are directed to answer the question.

Mr. MONROY. I refuse to answer this question on the first and supplementing it by the fifth amendment of the United States Constitution and also the lack of pertinency.

Mr. TAVENNER. Was not Dorothy Forest the liaison between the American Civil Liberties Union and the Communist Party on this question?

Please answer the question.

Mr. MONROY. I cannot see the pertinency of this question in relationship to the investigation that this committee is conducting and I refuse to answer this question.

Mr. WALTER. You are directed to answer the question.

Mr. MONROY. I refuse to answer this question on the grounds previously stated.

Mr. TAVENNER. Did not Dorothy Forest state that the Communist Party had been delegated to play a role in getting the signatures on this petition and that the Communist Party had been assigned the specific job of covering the Negro churches in the Los Angeles area on November 30 and December 6?

Mr. MONROY. I cannot see the pertinency of this question to the investigation that this committee is conducting and I refuse to answer this question.

Mr. WALTER. I direct you to answer the question.

Mr. MONROY. I refuse to answer this question based on the previously stated—on what I have previously stated.

Mr. TAVENNER. Did not Dorothy Forest further state that a letter had gone out to the Negro ministers of these churches advising them that a person would be there to get persons to sign these petitions?

Mr. MONROY. I cannot see the pertinency of this question that you are putting to me, sir, the investigation of this committee is conducting, and I refuse to answer this question.

Mr. WALTER. I direct you to answer the question.

Mr. MONROY. I refuse to answer this question based on the previous statement that I have made, that I refuse to answer on the first amendment supplemented by the fifth and the lack of pertinency.

Mr. TAVENNER. Was it not openly stated at the meeting that all the petitions which are being circulated by the Communist Party members should be turned into the Communist Party so that the ACLU can see what a good job the Communist Party was doing on these petitions?

Please answer the question.

Mr. MONROY. I refuse to answer this question. I cannot see the pertinency of it to the investigation that the committee is conducting.

Mr. WALTER. I direct you to answer the question.

Mr. MONROY. I refuse to answer this question as previously stated on the basis of the first and supplemented by the fifth amendment and also the lack of pertinency.

Mr. TAVENNER. The committee's information is that you were also in attendance at the meeting of December 21, 1958, at which Charlene Mitchell made her report regarding the Negro question. Do you recall that discussion?

(The witness conferred with his counsel.)

Mr. MONROY. I refuse to answer this question, sir.

Mr. WALTER. I direct you to answer that question.

Mr. MONROY. On the same grounds as previously stated.

Mr. TAVENNER. Did not Charlene Mitchell state in your presence and the other members of the district council, that the resolution changing the Communist Party line with regard to the Negro question was introduced at the national committee meeting by a new comrade from the South who is field secretary for the Communist Party in the South by the name of Comrade Charles?

Please answer the question.

Mr. MONROY. I refuse to answer this question, sir.

Mr. TAVENNER. On the ground of the fifth amendment?

Mr. WALTER. I direct you to answer the question.

Mr. MONROY. I refuse to answer this question on the grounds previously stated.

Mr. TAVENNER. Do you recall Charlene Mitchell, in opposing the change of the Communist Party line, asking the question: "Does a nation stop being a nation because of the Negro migration to the north or because many of the Negroes have now gone from peasantry to industrial jobs?"

Mr. MONROY. I refuse to answer this question, sir. I cannot see the pertinency of this question to the investigation that the committee is conducting.

Mr. WALTER. You are directed to answer the question.

Mr. MONROY. Sir, I refuse to answer this question on the grounds previously stated.

Mr. TAVENNER. Did Cyril Briggs disagree with the action taken by the national committee on the Negro question?

Mr. MONROY. I refuse to answer this question, sir, as I cannot clearly see the pertinency of this question to the investigation that this committee is conducting.

Mr. WALTER. Now, you said you cannot clearly see. By that I gather that you have an impression about the pertinency. Can you tell us what you think the pertinency is?

(The witness conferred with his counsel.)

Mr. MONROY. I have been advised by my counsel that it is my legal right that the committee show me the pertinency of this question to the investigation that they are conducting.

Mr. WALTER. You said that you could not clearly see the pertinency and that is why I asked the question.

If I told you that we were deeply concerned over the attempts being made by this group, of which you were a member, to influence low-income groups toward being disloyal to the United States, would that give you some idea of what we are driving at?

Mr. MONROY. I cannot see the pertinency at all, sir.

Mr. TAVENNER. May I have a direction that he answer?

Mr. WALTER. Ask another question. That does not matter.

Mr. TAVENNER. Did Pettis Perry, Bill Taylor, Herschel Alexander, and Shirley Taylor all oppose the change of the Communist Party line and argue against it from the floor of the meeting?

(The witness conferred with his counsel.)

Mr. MONROY. I refuse to answer this question, sir.

Mr. TAVENNER. May I have a direction that he answer?

Mr. WALTER. You are directed to answer the question.

Mr. MONROY. I refuse to answer this question on the grounds previously stated.

Mr. TAVENNER. Do you have a particular assignment in the Communist Party with regard to work among Mexican people?

(The witness conferred with his counsel.)

Mr. MONROY. I refuse to answer this question, sir.

Mr. TAVENNER. May I have a direction?

Mr. WALTER. You are directed to answer the question.

Mr. MONROY. I refuse to answer this question on the grounds previously stated.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. MONROY. I refuse to answer this question, sir.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. WALTER. We have information that you are the one who has been selected by this district council to prepare the program or the membership drive among Mexicans and Negroes. Is our information correct?

(The witness conferred with his counsel.)

Mr. MONROY. Sir, I would like to ask you what information there is and if I might see it.

Mr. WALTER. We have sworn testimony to that effect, and we have sworn testimony as to the meetings that were discussed. I am asking you whether or not it is the fact. Have you been selected as the representative from the district council to prepare the program for the drive with the Mexicans and Negroes?

(The witness conferred with his counsel.)

Mr. MONROY. Sir, I refuse to answer this question.

Mr. TAVENNER. I have no further questions.

Mr. WALTER. That is all. The witness is excused.

(Whereupon, at 4:20 p.m., Wednesday, February 25, 1959, the committee recessed.)

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